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ILLINOIS REGISTER

Rules of Governmental Agencies

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or preemptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1991

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991	June 25, 1991	July 2, 1991	28	July 12, 1991
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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



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DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Dog Training on Department-Owned or Managed Sites

2) CODE CITATION: 17 Ill. Adm. Code 950

3) SECTION NUMBERS: PROPOSED ACTION:

950.40 Amendments
950.50 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.4, 2.30, 2.34 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.4, 2.30, 2.34 and 3.5).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
The amendments to this Part establish permit requirements, set dog training seasons and establish regulations and penalties for dog training activities on Department sites.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 950

DOG TRAINING ON DEPARTMENT-OWNED OR -MANAGED SITES

Section
950.10 Statewide Regulations
950.20 Definitions
950.30 Permit Requirements
950.40 Dog Training Seasons
950.50 Dog Training Regulations
950.60 Penalties, Future Rights/Appeal Procedures

AUTHORITY: Implementing and authorized by Sections 1.4, 2.30, 2.34 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.4, 2.30, 2.34 and 3.5)

SOURCE: Amendment filed December 21, 1977; effective December 31, 1977; codified at 5 Ill. Reg. 10652; Part repealed, new Part adopted at 12 Ill. Reg. 1808, effective December 31, 1987; amended at 14 Ill. Reg. 13524, effective August 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 950.40 Dog Training Seasons

Dog training at the following sites will be open from September 1 - March 31, except closed during site upland game season; additional exceptions in parenthesis:

Banner Marsh State Fish and Wildlife Area (no closed season)

Carlyle Reservoir

Eldon Hazlet State Park (open only January 1 - March 31)

Eldon Hazlet State Park north of Allen Branch

Eckerts Woods Area

Clinton Lake State Recreation Area

Des Plaines State Fish and Wildlife Area (open all year except during site upland game season)

Hidden Springs State Forest

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Horseshoe Lake State Recreation Area

Iroquois County State Wildlife Area

Kankakee River State Park

Kaskaskia River State Fish and Wildlife Area (restricted areas include all nature preserves, natural areas, designated waterfowl rest areas and Baldwin Lake. The Doza Creek Waterfowl Management Area shall be restricted during the waterfowl season. Water retriever training only is open all year except in the Doza Creek Waterfowl Management Area during the waterfowl hunting season.)

Kickapoo State Recreation Area

Lake Shelbyville, West Okaw and Kaskaskia Fish and Wildlife Area (additionally open sunrise to sunset, April 1 - June 30 for coonhound training only)

Marseilles Conservation Area (open only March 1 - August 30)

Middle Fork State Fish and Wildlife Area

Mississippi River Area

Railsplitter State Park

Randolph County Conservation Area

Rock Cut State Park (open only March 1 - August 30)

Saline County Conservation Area

Sam Parr State Park

Sand Ridge State Forest (open September 15 - April 30 except open only Mondays and Tuesdays during site upland game season)

Sangchris Lake State Park (closed from opening of upland game season until January 1)

Shabbona Lake State Recreation Area (open from July 15 through August 15 then from September 16 through September 30)

Silver Springs State Fish and Wildlife Area

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Stephen A. Forbes State Fish and Wildlife Area

Trail of Tears State Forest

Washington County Conservation Area

Weinburg-King State Park

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 950.50 Dog Training Regulations

It shall be unlawful:

- a) to train dogs on Department property except in designated areas;
- b) to have any firearm in possession except that pistols with blank cartridges may be used;
- c) to park any vehicle in any area other than designated parking areas; and
- d) to use horses on Department property for dog training purposes, except at the following sites horses may be used:

Carlyle Reservoir (Eldon Hazlet State Park north of Allen Branch)

Middle Fork State Fish and Wildlife Area

Sand Ridge State Forest

Weinburg-King State Park

(Source: Amended at 15 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver and Woodchuck (Groundhog) Trapping

2) CODE CITATION: 17 Ill. Adm. Code 570

3) SECTION NUMBERS:

570.20
570.30
570.40

PROPOSED ACTION:

Amendments
Amendments
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33, and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.2, 1.3, 2.30, 2.33, and 3.5).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
This Part is being amended to establish statewide zones, season dates, hours, daily limits and possession limits for taking fur-bearing mammals with traps; and to regulate trapping on Department-owned, -leased or -managed sites.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 570

MUSKRAT, MINK, RACCOON, OPOSSUM, STRIPED SKUNK,
WEASEL, RED FOX, GRAY FOX, COYOTE, BEAVER AND
WOODCHUCK (GROUNDHOG) TRAPPING

Section

- 570.10 Statewide Zones
570.20 Statewide Season Dates
570.30 Statewide Hours, Daily Limit and Possession Limit
570.40 Trapping Regulations on Department-Owned, -Leased or
-Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33, and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.2, 1.3, 2.30, 2.33 and 3.5).

SOURCE: Adopted at 5 Ill. Reg. 9767, effective September 17, 1981; codified at 5 Ill. Reg. 10637; amended at 6 Ill. Reg. 10709, effective August 20, 1982; amended at 7 Ill. Reg. 10778, effective August 24, 1983; amended at 8 Ill. Reg. 21589, effective October 23, 1984; amended at 9 Ill. Reg. 15864, effective October 7, 1985; amended at 10 Ill. Reg. 16644, effective September 24, 1986; amended at 12 Ill. Reg. 12034, effective July 7, 1988; emergency amendments at 13 Ill. Reg. 16261, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 14 Ill. Reg. 10589, effective June 15, 1989; amended at 14 Ill. Reg. 14775, effective September 4, 1990; amended at 15 Ill. Reg. 19854, effective December 3, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 570.20 Statewide Season Dates

- a) Muskrat, mink, raccoon, opossum, striped skunk and weasel
- 1) Northern Zone: November 135 through December 29January 3.
- 2) Southern Zone: November 2518 through January 816.
- b) Red fox, gray fox and coyote
- 1) Northern Zone: November 2518 through December 29January 3.

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- 2) Southern Zone: November 2518 through January 816.

c) Beaver

- 1) Northern Zone: November 135 through March 31, except those portions of Carroll, Whiteside and Rock Island counties lying west of Illinois Rt. 84 from Interstate 80 north to the Jo Daviess County line will be open to beaver trapping only from November 135 through December 29January 3, inclusive.

- 2) Southern Zone: November 2518 through March 31.

d) Woodchuck (Groundhog)

- Northern and Southern Zones: June 1 through September 30.

(Source: Amended at 15 Ill. Reg. _____, effective _____.)

Section 570.30 Statewide Hours, Daily Limit and Possession Limit

- a) Muskrat, mink, raccoon, opossum, striped skunk and weasel

- 1) Trapping hours: November 135 in the Northern Zone and November 2518 in the Southern Zone open for trapping at sunrise; December 29January 3 in the Northern Zone and January 816 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.

- 2) Daily and possession limit: None

b) Red fox, gray fox and coyote

- 1) Trapping hours: November 2518 open for trapping at sunrise; December 29January 3 in the Northern Zone and January 816 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.

- 2) Daily and possession limit: None

c) Beaver

- 1) Trapping hours: November 135 in the Northern Zone and November 2518 in the Southern Zone open for

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trapping at sunrise; March 31 closed for trapping after sunset except those portions of Carroll, Whiteside and Rock Island Counties lying west of Illinois Rt. 84 from Interstate 80 north to the Jo Daviess County line, are closed for trapping December 29-January 3 after sunset; otherwise, hours are unrestricted.

- 2) Daily and possession limit: None

d) Woodchuck (groundhog)

- 1) Trapping hours: June 1 open for trapping at sunrise; September 30 closed for trapping after sunset; otherwise hours unrestricted.

- 2) Daily and possession limit: none.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

a) General Regulations

- 1) All the regulations in 17 Ill. Adm. Code 510--General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- 2) On areas where special Department tags are issued to trappers, traps without tags attached will be subject to confiscation.
- 3) Trappers must stay within designated areas.
- 4) For sites where permits are required a drawing will be held prior to the opening of the season. The date of the drawing will be announced by the Department by news release and the drawing will be held at the site. The number of permits per site will be determined pursuant to 17 Ill. Adm. Code 510.20. Permit applicants must submit name and address to the site prior to drawing.
- 5) All sites except Amax Leased Lands, Lake Kincaid, Mississippi River Pools 16, 17, 18, 21, 22, 23, 24, Rend Lake Wildlife Management Area, Sanganois Fish

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and Wildlife Area and Savanna Ordnance Depot require trappers to submit a harvest report to the site superintendent within 20 days following the close of the trapping season. Failure to report will result in the trapper being ineligible to trap at that site for the following year.

- 6) Any person who violates the site specific regulations shall be guilty of a Class B Misdemeanor.

- b) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses), in addition, body gripping traps with a 10 inch jaw spread or larger must be totally submerged in water when set:

Amax Leased Lands

Anderson Lake Conservation Area (no trapping during duck season; permit required; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; only box or cage-type traps may be used for land sets)

Argyle Lake State Park (permit required; water sets only; beaver trapping only; square body-gripping traps with 10 inch jaw spread only)

Banner Marsh State Fish and Wildlife Area (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used)

Big Bend Fish and Wildlife Area (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; after the close of upland season foot-hold traps with a jaw spread of 7 1/2 inches or less may be used for water sets)

Carlyle Lake Wildlife Management Area (permit required; permit must be carried at all times when

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the trapper is on the area; water sets only; no trapping within 200 feet of developed recreation areas; no trapping in the subimpoundment area until after the close of the duck hunting season (the subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary and includes impoundment numbers 1, 2, 3 and 4); all traps used must be tagged with special Carlyle Lake trap tags which will be issued at the site headquarters)

Clinton Lake Recreation Area (permit required; water sets only)

Coffee Lake State Park (permit required; water sets only; no trapping during duck season)

Coleta Ponds (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets)

Dog Island Wildlife Management Area (permit required; water sets only)

Eldon Hazlet State Park - north of Allen Branch and west of Peppenhorst Branch only (permit required; water sets only)

Fort de Chartres Historical Site (permit required; water sets only)

~~Fox Ridge State Park (permit required; no more than two persons may enter drawing on a single card; current or previous year's Illinois trapping license required to enter drawing; trapping limited to Embarras River only; all traps must be water sets only; furthermore, only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used; beaver trapping ends with the close of muskrat season)~~

Giant City State Park (permit required; water sets only; only body-gripping traps with a jaw spread of

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5 inches or less may be used)

~~Green River State Wildlife Area (see County Conservation Area) (no trapping until after the close of the permit pheasant season; permit required)~~

Hennepin Canal Parkway including Sinnissippi Lake (permit required; water sets only; trappers must register at park office; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season)

Horseshoe Lake Conservation Area (Alexander County) (permit required; water sets only)

I & M Canal (permit required; only box or cage-type traps may be used for land sets)

Johnson-Sauk Trail State Park (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used)

Kaskaskia River Fish and Wildlife Area (permit required; water sets only; Doza Creek Waterfowl Management Area closed three days prior to and during duck season)

Kidd Lake State Natural Area

Lake Kinkaid

Lake Le-Aqua-Na State Park (permit required; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; only box or cage-type traps may be used for land sets)

Lake Shelbyville Eagle Creek Wildlife Management

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Area (permit required; current or previous year's Illinois trapping license required to enter drawing; no more than 50 traps may be used per permit; all traps must be tagged with the letters ECWA and the year; permit must be in possession when on the area for trapping purposes; only body-gripping traps with a jaw spread of 5 inches or less or foot-hold traps with a jaw spread of 4 1/2 inches or less may be used for land sets; square body-gripping traps with a 10 inch jaw spread may be used for water sets; beaver trapping closes at the end of the muskrat season)

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area (permit required; current or previous year's Illinois trapping license required to enter drawing; no more than 50 traps may be used per permit; no trapping in Fish Hook, Jonathan Creek, Dunn or McGee Waterfowl Areas during waterfowl season; all traps must be tagged with the letters SFWA and the year; only body-gripping traps with a jaw spread of 5 inches or less or foot-hold traps with a jaw spread of 4 1/2 inches or less may be used for land sets; square body-gripping traps with a 10 inch jaw spread may be used for water sets; beaver trapping closes at the end of muskrat season)

Mackinaw River State Fish and Wildlife Area (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets)

Marshall County Fish and Wildlife Area (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; no trapping during duck season)

Mermet Lake Fish and Wildlife Area (permit required; water sets only)

Mississippi Palisades State Park (permit required; water sets only; beaver trapping only; square body-gripping traps with 10 inch jaw spread only)

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Mississippi River Pools 16, 17, 18, 21, 22, 23, 24
Mississippi River Pools 25, 26 (permit required; water sets only; no trapping during waterfowl season)

Moraine Hills State Park (permit required; no more than two persons may enter drawing on a single card; current or previous year's Illinois trapping license required to enter drawing; trapping limited to Wildlife Area only; only muskrats may be taken; all traps must be water sets only; furthermore, only body-gripping traps with a jaw spread of 5 inches or less may be used)

Morrison Rockwood State Park (permit required; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; only box or cage-type traps may be used for land sets)

Panther Creek Conservation Area

Pyramid State Park (permit required; water sets only)

Randolph County Conservation Area (permit required; water sets only)

Rend Lake Wildlife Management Area (no body-gripping traps may be used for land sets) Project Lands and Waters (water sets only)

Rice Lake Fish and Wildlife Area (no trapping during duck season; permit required; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; only box- or cage-type traps may be used for land sets)

Rock Cut State Park (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping

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traps with a 10 inch jaw spread may be used for water sets)

Sanganois Fish and Wildlife Area (no trapping in designated duck rest areas during the duck season)
Sangchris Lake Fish and Wildlife Area (permit required; water sets only; no trapping during duck season)

Savanna Ordnance Depot (trapping area includes the islands and associated backwater sloughs immediately upstream from Lock and Dam 12; no trapping on mainland)

Shabbona Lake State Park (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets)

Sparland Fish and Wildlife Area (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; no trapping during duck season)

Spring Lake Conservation Area (permit required; water sets only; only body-gripping traps with a jaw spread of 5 inches or less, foot-hold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets)

Ten Mile Creek State Fish and Wildlife Area (permit required; water sets only; areas designated as Refuge are closed to all access during Canada Goose Season only; permits must be returned to the site office by March 15)

Turkey Bluffs Fish and Wildlife Area (permit required; water sets only)

Union County Conservation Area (permit required; water sets only)

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Washington County Conservation Area (permit required; water sets only)

c) Trapping is prohibited on all other Department-Owned, -leased or -managed sites except by special permit which will be issued by the Department when it is determined that the harvest of a species would enhance the biological balance of the resource.

1) All regulations will be according to species regulations as provided for in this Part.

2) Permit application information and site specific regulations will be announced publicly by the Department through the news media by September 1 of each year.

3) Site specific regulations will be listed on the application and permit and posted at the site.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) HEADING OF THE PART: Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting

2) CODE CITATION: 17 Ill. Adm. Code 550

3) SECTION NUMBERS:

550.10
550.20
550.30

PROPOSED ACTION:

Amendments
Amendments
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
This Part is being amended to set new statewide season dates to address recent changes in harvest effort and the abundance of some fur-bearing mammals; to clarify regulations regarding the taking of coyotes during the firearm deer season; and to provide for the taking of fur-bearing mammals at one additional state site.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?
No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

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12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

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TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFEPART 550
RACCOON, OPOSSUM, STRIPED SKUNK, RED FOX,
GRAY FOX, COYOTE AND WOODCHUCK (GROUNDHOG) HUNTING

Section

General Regulations

Statewide Regulations

Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox,
Coyote and Woodchuck (Groundhog) Hunting on
Department-Owned, -Leased or
-Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28, and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28, and 3.29).

SOURCE: 5 Ill. Reg. 8833, effective August 25, 1981; codified at 5 Ill. Reg. 10636; emergency amendment at 5 Ill. Reg. 11593, effective October 20, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 10714, effective August 20, 1982; amended at 7 Ill. Reg. 10782, effective August 24, 1983; amended at 7 Ill. Reg. 16098, effective November 22, 1983; amended at 8 Ill. Reg. 21593, effective October 23, 1984; amended at 9 Ill. Reg. 16204, effective October 9, 1985; emergency amendments at 9 Ill. Reg. 18151, effective November 12, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16649, effective September 22, 1986; amended at 11 Ill. Reg. 9540, effective May 5, 1987; amended at 12 Ill. Reg. 11730, effective June 30, 1988; amended at 13 Ill. Reg. 10598, effective June 19, 1989; amended at 14 Ill. Reg. 10798, effective June 20, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 550.10 General Regulations

- a) It is unlawful to hunt raccoon, opossum, striped skunk, red fox, gray fox, coyote and woodchuck (groundhog) in counties open for deer hunting during the firearm deer hunting season as specified in 17 Ill. Adm. Code 650.10, except coyotes may be taken during legal deer hunting hours, only with a shotgun loaded with slugs or a muzzle-loading firearm, and only by persons in possession of a valid unfilled firearms deer permit, during the firearm deer season as specified in 17 Ill. Adm. Code _____.

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650.10.

- b) Shooting preserve areas licensed pursuant to Section 3.27 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 3.27) and managed pursuant to Sections 3.28 and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 3.28 and 3.29) are exempt from the provisions of this Part.

(Source: Amended at 15 Ill. Reg. _____ effective _____)

Section 550.20 Statewide Regulations

a) Raccoon, Opossum

- 1) Zones: The State of Illinois is divided by U. S. Rt. 36 (New Rt. 36) into a Northern Zone and Southern Zone.
- 2) Northern Zone hunting dates: November 13⁵ through January 13¹⁸, except as noted in Section 550.10(a) above.
- 3) Southern Zone hunting dates: November 25¹⁸ through January 23²⁶, except as noted in Section 550.10(a) above.
- 4) Hunting hours: November 13⁵ in the Northern Zone and November 25¹⁸ in the Southern Zone open for hunting at sunrise; during archery deer season, raccoon and opossum bow hunting hours will coincide with the statewide archery deer hunting hours; otherwise, hours are unrestricted. Section 2.26 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 2.26).

- 5) Daily limit and possession limit: None.

b) Red fox and gray fox

- 1) Hunting dates: November 25¹⁸ through January 31, except as noted in Section 550.10(a) above.
- 2) Hunting hours: Opens November 25¹⁸ for hunting at sunrise; during archery deer season, red fox and gray fox bow hunting hours will coincide with the statewide archery deer hunting hours; otherwise,

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hours are unrestricted.

- 3) Daily limit and possession limit: None.

c) Coyote and Striped Skunk

- 1) Hunting dates: Year around except as noted in Section 550.10(a) above.

- 2) Hunting hours: One-half hour before sunrise to sunset, except during the red fox and gray fox hunting season when statewide hunting hours are unrestricted, and except during archery deer season when coyote and striped skunk bow hunting hours will coincide with the statewide archery deer hunting hours.

- 3) Daily limit and possession limit: None.

d) Woodchuck (groundhog)

- 1) Hunting dates: June 1 through the next following March 31, except as noted in Section 550.10(a) above.

- 2) Hunting hours: One-half hour before sunrise to sunset.

- 3) Daily limit and possession limit: None.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites.

- a) All the regulations in 17 Ill. Adm. Code 510--General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

- b) For sites where permits are required a drawing will be held prior to the opening of the season. The date of the drawing will be announced by the Department by news release and the drawing will be held at the site. The number of permits per site will be determined pursuant to 17 Ill. Adm. Code 510.20. For those sites which require a harvest report to be submitted following the

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close of hunting season, failure to report will result in the hunter being ineligible to hunt at that site for the following year.

- c) Statewide regulations as provided for in this rule apply at the following sites (exceptions are in parentheses):

Amax Leased Lands (.22 rimfire firearms may be used from sunset to sunrise)

Anderson Lake Conservation Area (coyote and striped skunk season shall coincide with statewide fox season; all hunting to begin after the close of regular waterfowl season; .22 rimfire firearms may be used from sunset to sunrise)

Argyle Lake State Park (coyote and striped skunk season shall coincide with statewide fox season; .22 rimfire firearms may be used from sunset to sunrise)

Banner Marsh State Fish and Wildlife Area (coyote only; shotgun and archery only; season to coincide with the site where upland game is hunted (See Section 530.10(b) and Section 530.20(b)) and site archery deer hunting seasons (See Section 670.10))

Big Bend Conservation Area (coyote and striped skunk season shall coincide with statewide fox season; .22 rimfire firearms may be used from sunset to sunrise)

Big River State Forest (coyote and striped skunk season shall coincide with statewide fox season; .22 rimfire firearms may be used from sunset to sunrise)

Campbell Pond Wildlife Management Area

Cache River State Natural Area (coyote and striped skunk season to coincide with statewide fox season)

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Carlyle Lake Wildlife Management Area (Waterfowl Management Area is closed during the waterfowl season; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck

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hunting; .22 rimfire firearms may be used from sunset to sunrise)

Crawford County Conservation Area (Permit required; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting; .22 rimfire firearms may be used from sunset to sunrise)

Dog Island Wildlife Management Area

Eldon Hazlet State Park north of Allen Branch and west of Peppenhorst Branch (no woodchuck hunting; coyote and striped skunk season shall coincide with statewide fox season)

Fort de Chartres Historic Site (raccoon and opossum hunting only; hunting with muzzle-loading firearms only)

Green River State Wildlife Area (Lee County Conservation Area) (permit required; raccoon, fox and coyote hunting only; raccoon and fox season January 1 through the end of the statewide season; coyote season January 1 - February 28; .22 rimfire firearms permitted)

I-24 Wildlife Management Area

Iroquois County Conservation Area (Raccoon, opossum and coyote only; raccoon and opossum hunting permitted after close of permit pheasant season, permit required, .22 rimfire firearms may be used, hunting hours sunset to sunrise only; coyote hunting permitted as prescribed in Section 550.10(a) and sunrise to sunset from the end of permit pheasant season to January 31 and sunset to sunrise from end of permit pheasant season to end of fox season during which time .22 rimfire firearms may be used to take coyotes, free permit required)

Kankakee River State Park (raccoon and opossum hunting; .22 rimfire firearms may be used; hunting hours are sunset to sunrise; permit valid for designated night(s) only; person issued permit must be present to hunt or permit is void; permittee may take up to three hunting partners along; permit valid from sunset on designated date to sunrise the following day; hunters must report harvest to site

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superintendent by December 31; hunting is allowed only from statewide opening to sunrise on ~~Thursday~~ Wednesday prior to second firearm deer season, except as noted in Section 550.10(a); fox and coyote hunting - hunting allowed only from the day after the permit pheasant season closes through January 31; hunting hours are 4:00 a.m. to 8:00 p.m.; hunters must check out and report harvest prior to leaving site; hunters must obtain free season permits from site office prior to hunting)

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 3 days prior to and during duck season; .22 rimfire firearms permitted from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Kickapoo State Park (raccoon, opossum and coyote only; raccoon and opossum hunting hours sunset to sunrise only, permit required, obtain from site office, .22 rimfire firearms may be used; coyote hunting permitted as prescribed in Section 550.10(a), and 8:00 a.m. to 4:00 p.m. daily during the statewide rabbit season, and sunset to sunrise during ~~fox~~ raccoon season, .22 rimfire firearms may be used to take coyote sunset to sunrise, permit required, obtain from site office. All permits must be returned and harvest reported by February 15 to the Park Office, R.R. 1, Box 374, Oakwood, IL 61858)

Kidd Lake State Natural Area (.22 rimfire may be used from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Lake Kinkaid Fish and Wildlife Area

Lake Shelbyville - Kaskaskia and West Okaw Fish and Wildlife Area (night hunters must obtain a permit; .22 rimfire firearms may be used for taking raccoon, striped skunk, and opossum from sunset to sunrise only; no woodchuck hunting; coyote and striped skunk season to coincide with statewide fox season)

Lincoln Trail State Park (raccoon hunting only, .22 rimfire firearms may be used, hunting hours sunset

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to sunrise only, permit required, obtain from site office; hunters must report harvest to site superintendent by December 31; hunting season November 25 to December 20)

~~Little Black Slough State Natural Area (coyote and striped skunk season to coincide with statewide fox season)~~

~~Lower Cache River State Natural Area (coyote and striped skunk season shall coincide with the statewide fox season)~~

Marseilles Conservation Area (no night hunting; fox and coyote hunting only; fox season January 1 - state closing; coyote January 1 - February 28; .22 rimfire firearms permitted)

Marshall State Fish and Wildlife Area (raccoon and opossum only may be hunted; .22 rimfire firearms may be used from sunset to sunrise)

Middlefork Fish and Wildlife Area (raccoon, opossum and coyote only; raccoon and opossum hunting hours sunset to sunrise only, permit required, obtain from site office, .22 rimfire firearms may be used; coyote hunting permitted as prescribed in Section 550.10(a), and 8:00 a.m. to 4:00 p.m. daily during the statewide rabbit season, and sunset to sunrise during ~~fox~~ raccoon season, .22 rimfire firearms may be used to take coyote sunset to sunrise, permit required, obtain from site office. All permits must be returned and harvest reported by February 15 to the Park Office, R.R. 1, Box 374, Oakwood, IL 61858)

Mississippi River Pools 16, 17, 18 (hunting not permitted in developed areas; .22 rimfire firearms permitted)

Mississippi River Pools 21, 22, 24, 25, 26 (.22 rimfire firearms permitted; hunting not permitted within 300 ft. of any legal waterfowl blind or in developed areas during waterfowl season)

Panther Creek Conservaton Area (.22 rimfire firearms permitted; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck

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hunting)

Pike County Conservation Area (all hunting closes November 30 in Area A)

Ramsey Lake State Park (permits required; coyote and striped skunk season shall coincide with statewide fox season; .22 rimfire firearms may be used from sunset to sunrise)

Randolph County Conservation Area (~~permit required for night hunting~~; .22 rimfire firearms may be used from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Rend Lake Wildlife Management Area ~~Project Lands and Waters~~

Rockhouse Creek (Monroe County)

Saline County Conservation Area (hunting north of the township road only; coyote and striped skunk season to coincide with the statewide fox season; .22 rimfire firearms may be used from sunset to sunrise)

Sand Ridge State Forest (permit required; raccoon and opossum season dates shall coincide with trapping season; coyote and striped skunk season shall coincide with statewide fox season; .22 rimfire firearms permitted)

Sangamon County Conservation Area

Sanganois Conservation Area (hunting prohibited within 300 ft. of legal blinds or developed areas; .22 rimfire firearms may be used from sunset to sunrise)

Shawnee National Forest, LaRue Scatters (season closes 3 days before opening of waterfowl season and remains closed through the waterfowl season; hunting hours are sunrise - noon)

Shawnee National Forest, Oakwood Bottoms (Greentree Reservoir west of the Big Muddy Levee, season closes 3 days before opening of waterfowl season and

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remains closed through the waterfowl season; hunting hours are sunrise - noon; steel shot only)

Silver Springs State Park (fox and coyote hunting only; season opens the day after pheasant season closes; hunting hours are 4:00 a.m. to 8:00 p.m. through January 31; coyote season closes March 1; hunters must check in and check out and report harvest prior to leaving site)

Stephen A. Forbes State Park (permits required; coyote and striped skunk season shall coincide with statewide fox season; .22 rimfire firearms may be used from sunset to sunrise)

Tapley Woods State Natural Area (muzzle-loading rifles and .22 rimfire firearms may be used from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season)

Ten Mile Creek State Fish and Wildlife Area (permit required; .22 rimfire firearms may be used from sunset to sunrise; parking cards must be displayed in windshield; permits must be returned by February 15 to the District Wildlife Manager, 700B West Lafayette, P.O. Box 313, Olney, IL 62450; areas designated as Refuge are closed to all access during Canada Goose Season only)

Trail of Tears State Forest (.22 rimfire firearms may be used from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season; permit required, obtain from site office; permit must be returned and harvest reported by February 15 to the Park Office, R.R. 1, Box 1331, Jonesboro, IL 62952)

Turkey Bluffs Fish and Wildlife Area (permit required for night hunting; .22 rimfire firearms may be used from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Walnut Point Fish and Wildlife Area (raccoon hunting only; .22 rimfire firearms may be used; hunting hours are sunset to sunrise; permit required; hunters must report harvest to the site superintendent by December 31; hunting allowed

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November 25 to sunrise on the ~~Thursday~~ Wednesday prior to the second firearm deer season)

Washington County Conservation Area (permit required; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Weinburg King State Park (permit required; coyote and striped skunk season shall coincide with statewide fox season; no woodchuck hunting)

Wildcat Hollow State Park (.22 rimfire firearms may be used from sunset to sunrise; coyote and striped skunk season shall coincide with statewide fox season)

Woodford County Conservation Area (raccoon and opossum hunting only; hunters must register, season opens after waterfowl season closes; .22 rimfire firearms may be used from sunset to sunrise only)

d) Statewide regulations as provided for in this Part apply at the following sites (exceptions noted in parentheses). In addition, hunters must obtain a permit from respective site office. Permits must be in possession while hunting. The permit must be returned and harvest reported by February 15. Coyote and skunk season shall coincide with statewide fox season. No woodchuck hunting is permitted.

Clinton Lake (.22 rimfire firearms may be used for taking raccoon, striped skunk and opossum from sunset to sunrise)

Eagle Creek State Park (no night hunting)

Fox Ridge State Park (.22 rimfire firearms may be used for taking raccoon, striped skunk and opossum from sunset to sunrise).

Hidden Springs State Park (.22 rimfire firearms may be used for taking raccoon, striped skunk and opossum from sunset to sunrise)

Lake Shelbyville Eagle Creek Wildlife Management Area (.22 rimfire firearms may be used for taking raccoon, striped skunk and opossum from sunset to

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sunrise)

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) HEADING OF THE PART: The Taking of Wild Turkeys - Fall Archery Season

2) CODE CITATION: 17 Ill. Adm. Code 720

3) SECTION NUMBERS: PROPOSED ACTION:

720.10 Amendments
720.30 Amendments
720.40 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 2.9, 2.10 and 2.11).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: Amendments to this Part include opening two new counties and seven new state sites and allowing archery turkey hunting during firearm deer season on two state sites.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 720
THE TAKING OF WILD TURKEYS - FALL ARCHERY SEASON

Section

720.10 Hunting Seasons and Counties Open to Hunting
720.20 Turkey Permit Requirements
720.30 Turkey Hunting Regulations
720.40 Regulations at Various Department-Owned or -Managed Sites
720.50 Releasing or Stocking of Turkeys (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 2.9, 2.10 and 2.11).

SOURCE: Adopted and codified at 8 Ill. Reg. 7825, effective May 22, 1984; emergency amendments at 8 Ill. Reg. 20086, effective October 12, 1985, for a maximum of 150 days; emergency expired March 2, 1985; amended at 9 Ill. Reg. 14311, effective September 5, 1985; amended at 11 Ill. Reg. 9556, effective May 5, 1987; amended at 12 Ill. Reg. 12254, effective July 15, 1988; amended at 13 Ill. Reg. 12831, effective July 21, 1989; amended at 14 Ill. Reg. 12413, effective July 20, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 720.10 Hunting Seasons and Counties Open to Hunting

- a) Season: Statewide season October 1 through December 31, except-closed during firearm deer season, as set out in 17 Ill. Adm. Code 650. except those Department of Conservation (Department or DOC) sites designated below by asterisk, shall be open to archery turkey hunting without regard to firearm deer season. (No firearm deer hunting pursuant to 17 Ill. Adm. Code 650 allowed).

b) Open Counties:

Adams
Alexander
Brown
Calhoun
Carroll
Cass
Clay
Effingham

Jo Daviess
Johnson
Macoupin
Marion
Marshall
McDonough
Monroe
Ogle

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Fayette Pike
Fulton Pope
Gallatin Putnam
Greene Randolph
Hancock Saline
Hardin Schuyler
Henderson Union
Jackson Washington
Jersey Williamson

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 720.30 Turkey Hunting Regulations

It is unlawful:

- a) to use live turkey decoys, recorded calls, dogs or bait;
- b) to take, or attempt to take, more than 1 wild turkey during the fall archery season (either sex may be harvested);
- c) to use any weapon except a long, recurved or compound bow with a minimum pull of 40 pounds at some point within a 28 inch drawn; a hunting arrow with a barbless broadhead ~~hunting arrow~~ is the only legal arrow. All other bows and arrows, including electronic arrow tracking systems, are illegal. Any mechanical device capable of maintaining a drawn or partially drawn position on a bow is illegal;
- d) to hunt except from 1/2 hour before sunrise to sunset during each day of the season;
- e) for any person having taken a wild turkey to further participate with a weapon in any hunting party for the purpose of taking additional turkeys;
- f) for any person to hunt wild turkeys without having a signed Archery Wild Turkey Hunting Permit in possession;
- g) to transport or move a wild turkey without first affixing and properly sealing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon taking possession at the kill site ~~before the turkey is moved or transported~~ kill. No person shall leave any turkey that has been killed

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without properly attaching the turkey permit around the leg;

- h) to fail to send the mail-in portion of the turkey permit and feathers as indicated on the mail-in envelope to the Department in the envelope supplied within 48 hours of taking a turkey with bow and arrow. Failure to follow this rule constitutes illegal possession of a wild turkey and is punishable by a fine plus turkey hunting privileges being suspended for the following year; and

- i) To possess, while in the field during archery turkey season, any turkey permit issued to another person.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 720.40 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

- b) Statewide regulations shall apply for the following sites:

AMAX Leased Lands

Anderson Lake Conservation Area

Argyle Lake State Park (October 15 through December 31)

Beaver Dam State Park (2 hunters per day; closed weekends)

Big River State Forest

Carlyle Lake Wildlife Management Area and Corps of Engineers managed land (subimpoundment area closed 3 days prior to and during the duck season)

Castle Rock State Park (November 1 - December 31)

Dog Island Wildlife Management Area

Ferne Clyffe State Park

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Fort de Chartres Historic Site

Giant City State Park

Kaskaskia River State Fish and Wildlife Area (south of Highway 154 only)

Kinkaid Lake Fish and Wildlife Area

LaRue Scatters

Mississippi Palisades State Park (season dates - November 1 - December 31)

Mississippi River Pool 18 in Henderson County only

Oakwood Bottoms

Pere Marquette State Park

Pike County Conservation Area (October 1 - November 30 only)

Ramsey Lake State Park

Rockhouse Creek (Monroe County)

Saline County Conservation Area

Siloam Springs State Park

Stephen A. Forbes State Park

Tapley Woods

Trail of Tears State Forest

Turkey Bluffs Fish and Wildlife Area

Union County Public Hunting Area (October 1-15 only)

Union County Conservation Area - Firing Line Management Unit only

Weinburg-King State Park

Witkowsky State Wildlife Area

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- c) Additional regulations may be posted at the sites when more restriction is required. These additional regulations shall include, but not be limited to, selected check stations, limited hunting hours, and designated first-come, first-served sites.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) HEADING OF THE PART: The Taking of Wild Turkeys - Fall Gun Season

2) CODE CITATION: 17 Ill. Adm. Code 715

3) SECTION NUMBERS: PROPOSED ACTION:

715.10 Amendments
715.20 Amendments
715.30 Amendments
715.40 Amendments

- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11).

- 5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
This Part is being amended to update the fall firearm turkey season dates, to allow hunters to bring turkeys to the check station field dressed and to open two new state sites to turkey hunting.

- 6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

- 7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

- 10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

- 11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

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- 12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 715

THE TAKING OF WILD TURKEYS - FALL GUN SEASON

Section
715.10 Hunting Season and Permit Quotas
715.20 Turkey Permit Requirements
715.30 Turkey Hunting Regulations
715.40 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11).

SOURCE: Adopted at 13 Ill. Reg. 14950, effective September 6, 1989; amended at 14 Ill. Reg. 12421, effective July 20, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 715.10 Hunting Season and Permit Quotas

- a) Season: October ~~13~~19 through October 21, 199027, 1991.
b) Open Counties and Permit Quotas

OPEN COUNTIES	NUMBER OF PERMITS PER SEASON
Adams	200
Alexander	150
Brown	200
Calhoun	200
Carroll	150
Gallatin/Hardin (south of Rt. 13 only)	200
Greene	100
Jackson	250
Jersey	175
Jo Daviess	400
Marshall/Putnam (east of Ill. River only; north of State Hwy 17+ and south of the McNabb Blacktop (County Road 500 N. only))	75
Pike	350
Pope (north of Rt. 146 only)	300
Saline	75
Schuyler	300

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Union 250
 Williamson 50
 (Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 715.20 Turkey Permit Requirements

- a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Conservation for a fee of \$15.00. Non-resident turkey hunters shall be charged the same fee for wild turkey hunting permits as that charged residents of Illinois by the state in which the applicant resides, except that in no case shall the fee be less than \$30.00. If the state in which the applicant resides does not provide for turkey hunting by Illinois residents, then the fee shall be \$75.00. Non-residents are also required to obtain a Non-Resident Hunting License before hunting wild turkeys. Residents, except those exempted by Section 3.1 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 3.1) are also required to obtain a hunting license before hunting wild turkey. Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits must be mailed to:

Department of Conservation - Turkey
 524 S. Second Street, Room 210
 P.O. Box 19446
 Springfield, IL 62794-9446

- b) Applicants must complete all portions of the permit application form. Incomplete applications will be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Not more than 4 applications may be submitted for group hunters. Applicants submitting applications within three weeks of the season will not be guaranteed receipt of permit by start of season.
- c) ~~The application dates for obtaining permits are July 5 through July 19. Applications will be accepted beginning the first Monday in July. All requests must be on an official application form. Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in~~

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Springfield in which the first choice of county will be allocated before the second choice is considered. Applications post-marked after July 19 will not be included in the drawing.

- d) Permits not issued during the computerized drawing will be available in a random daily drawing beginning ~~September 5~~ August 26. All hunters not receiving a permit in the computerized drawing may apply at this time for the available permits.

- e) Any permits not issued as of the third Monday in September will also be available in a random daily drawing to those hunters who have previously received one permit.

- ~~e)f)~~ Landowners or tenants of 40 acres or more land and members of their immediate family may apply for one free turkey permit for their property only in areas open for turkey hunting. A tenant for the purpose of this part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. All landowners or tenants that do not reside on the property must possess a valid hunting license.

- ~~f)g)~~ Landowners, or tenants are not required to participate in the public drawing for permits and are not counted toward the total number of permits issued for a particular county.

- 1) The immediate family is limited to the spouse, children, and parents permanently residing on the same property as the landowner or tenant.
- 2) Proof of ownership for all free landowner or tenant applications must be provided by one of the following methods:

- A) Submittal of a copy of property deed;
 B) Submittal of a copy of contract for deed;
 C) Submittal of a copy of a tax statement for the property (upon which the landowner's name appears);

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- D) Submittal of a copy of either an Agricultural Stabilization and Conservation Service 476 or Commodity Credit Corporation 477 Form; or
- E) Submittal of a copy of a trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a beneficiary of the trust.
- 3) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
 - A) A copy of a lease or rental agreement, file stamped as recorded by the County Clerk, covering the current year; or
 - B) A copy of either an Agricultural Stabilization and Conservation Services 476 form or Commodity Credit Corporation 477 form.
- 4) A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.
- 5) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land.
- 6) For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive turkey permits.
- 7) Shareholders of corporations owning 40 or more acres of land in an area open to hunting may apply for a free permit to hunt the corporation lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county shall be issued based on ownership of lands by corporations. Lands leased to corporations shall not be considered as a basis for a free permit for the shareholders of the lessee. Lands held in trust by corporations shall not be considered as a basis for a free permit by the shareholders of the trustee. If application is

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made for a free permit based upon lands owned by the corporation, a duly authorized officer of the corporation must sign a notarized statement authorizing the applicant to hunt on the corporate lands for which a permit is being requested. This statement must identify the applicant is a shareholder, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation lands. This document must be attached to the application upon submittal to the Permit Office.

~~§7h)~~ A \$3.00 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail, no charge will be made.

~~§7i)~~ It shall be unlawful to:

- 1) Submit applications for receiving more than one permit for the same person; or
- 2) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this Section shall have their application rejected, permit revoked, and fees forfeited.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 715.30 Turkey Hunting Regulations

It is unlawful:

- a) to use live turkey decoys, recorded calls, dogs or bait;
- b) to take, or attempt to take, more than one wild turkey per valid permit (either sex may be harvested);
- c) to use any weapon except a shotgun. #4 shot is the largest and #7 1/2 is the smallest size shot that may be legally used;
- d) to hunt except from 1/2 hour before sunrise to sunset during each day of the season;
- e) for any person to hunt wild turkeys without having a signed Wild Turkey Hunting Permit in possession;

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- f) to transport a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon taking possession. No person shall leave a turkey that has been killed without properly attaching the turkey permit around the leg. The wild turkey shall be taken whole ~~(not dressed)~~ or field dressed, by the hunter in person, to the designated check station for the county in which it was killed, or the closest check station, by 7:00 p.m. the same day it was killed. It will be checked, tagged and recorded by the Department at the check station; and
- g) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.
- h) To possess while in the field, during turkey season, any turkey permit issued to another person. (Permits are non-transferrable).

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 715.40 Regulations at Various Department-Owned or -Managed Sites

- a) Statewide regulations (See 17 Ill. Adm. Code 510) shall apply for the following sites:

AMAX Leased Lands in Schuyler County

Dog Island Wildlife Management Area

Mississippi River Pools 21, 22, 24, 25 and 26

Pike County Conservation Area

Shawnee National Forest

- b) Statewide regulations shall apply except that all hunters must check in and check out and must report turkey harvest at the check station or on a sign out sheet at the areas listed below. Quotas, where listed, will be on a first-come, first-serve basis. Hunters will not be allowed to sign in prior to 4 a.m. each day of the season.

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Giant City State Park

Pere Marquette State Park - Public Hunting Area

Saline County Conservation Area

Siloam Springs State Park - quota 20

Tapley Woods - quota 2

Trail of Tears State Forest

Union County Conservation Area - Firing Line Management Unit Only

Weinburg-King State Park

Witkowsky State Wildlife Area - quota 6

- e) ~~Statewide regulations shall apply except that all hunters must sign in and check out to report turkeys harvested. There will be a daily quota of 2 (two) hunters which will be taken on a first-come, first-serve basis. Hunters will not be allowed to sign in prior to 4 a.m. each day of the season.~~

Tapley Woods

- d) ~~Additional regulations may be posted at the sites when more restriction is required. These additional regulations shall include, but not be limited to, selected check stations, limited hunting hours, and designated first-come, first-serve sites.~~

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT
ON THIS PROPOSED RULEMAKING: Comments on the proposed rule
may be submitted in writing for a period of 30 days following
publication of this notice to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no
impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

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1) HEADING OF THE PART: White-Tailed Deer Hunting Season by Use
of Muzzleloading Rifles

2) CODE CITATION: 17 Ill. Adm. Code 660

3) SECTION NUMBERS: PROPOSED ACTION:

660.10	Amendments
660.20	Amendments
660.21	Amendments
660.25	Amendments
660.30	Amendments
660.40	Amendments
660.45	New Section
660.60	New Section

4) STATUTORY AUTHORITY: Implementing and authorized by Sections
1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the
Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4,
1.13, 2.24, 2.25, 2.26, 2.33 and 3.36).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:
This part is being amended to add a three-day muzzleloading
rifle season for deer; describe statewide permit requirements
for the muzzleloading rifle deer season; permit hunters with
unfilled landowner and tenant firearm permits to hunt during
the muzzleloading season with a muzzleloading rifle on land
that they own or lease; describe the hunting device; describe
statewide deer hunting rules; and specify state sites open
for hunting.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY
IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY
REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?
No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no
impact on local governments.

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 660
WHITE-TAILED DEER HUNTING SEASON BY USE
OF MUZZLELOADING RIFLES

Section	
660.10	Statewide Season
660.20	Statewide Deer Permit Requirements
660.21	Deer Permit Requirements - Landowner/Tenant Permits - Paid and Free
660.25	Deer Permit Requirements - Group Hunt
660.30	Statewide Muzzleloading Rifle Requirements
660.40	Statewide Deer Hunting Rules
660.45	Reporting Harvest
660.50	Rejection of Application/Revocation of Permits
660.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1989, ch 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36).

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 8, 1991; amended at 15 Ill. Reg. _____, effective _____.

Section 660.10 Statewide Season

Season: One-half hour before sunrise on Friday of the ~~third~~ 3-day (Friday, Saturday, Sunday) weekend in December following the second regular firearm season to sunset on Sunday of ~~the third~~ this 3-day weekend in December. Shooting hours are one-half hour before sunrise to sunset.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 660.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid "Muzzleloading Rifle Deer Permit" (\$15.00). A "Non-Resident Muzzleloading Rifle Deer Permit" may be obtained by non-residents of Illinois provided that they shall be charged the same fee as an Illinois resident would be charged for a deer hunting permit by the State in which the applicant resides except in no case shall the fee be

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less than \$50.00, and if the State in which the applicant resides does not provide for deer hunting by Illinois residents, then the fee shall be \$100.00. A permit is issued for one county and is valid only in the county stated on the permit. For permit applications and other information write to:

Department of Conservation
(Muzzleloading Rifle)
Deer Permit Office
524 South Second Street, Room 210
P.O. Box 19227
Springfield, IL 62794-9227

- b) Applications shall be accepted through April 30, of the current year. Applications received after April 30 shall not be included in the lottery. Permits shall be allocated in a computerized random drawing in which the first choice of hunt areas or counties shall be allocated before the second choice areas are considered. Each applicant must enclose a separate \$15.00 fee (check or money order) payable to the Department of Conservation. Permits will be issued as either-sex, antlerless-only or antlered only.

- c) Counties with unfilled quotas after the drawing shall lottery will be allocated in a random drawing procedure August 1 through October 31. Applications for the random daily drawing shall be accepted beginning the first Monday of August 1 of the current year. A list of unfilled counties shall be announced prior to the August application dates. Applicants must apply on a current year "Muzzleloading Rifle" Deer Permit application form. All applications for the random daily drawing shall be processed individually.

- d) In-person and mail-in applications shall receive equal treatment in the drawings. For the random daily drawing, applications received one day shall not be processed until all applications received for that day are mixed proportionately (mail and over the counter receipts). All applications received on a specific day shall be processed before processing applications received for a subsequent day.

- e) Applicants must complete all portions of the current year permit application form. Incomplete or incorrect applications shall be returned along with the applicant's

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permit fee for correction or completion if received in this office prior to April 30, of the current year. No more than 6 single applications per envelope shall be accepted. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications to the Deer Permit Office for regular firearm, muzzleloading rifle, archery, and free or paid landowner/tenant permits.

f) Applications for non-resident muzzleloading rifle firearm permits shall be accepted beginning October 15.

g) ~~Applicants~~Anyone may apply as of November 1 for a regular muzzleloading rifle season firearm permit (\$15.00 fee), issued in a random daily drawing, for any permits left over from the county quotas to hunt the firearm muzzleloading rifle season. ~~Applicants may be anyone that only one permit shall be issued per applicant.~~

1) ~~is applying for their first permit;~~

2) ~~was previously issued one firearm or one muzzleloading rifle or one archery permit;~~

3) ~~was previously issued one firearm or one muzzleloading rifle and one archery permit; or~~

4) ~~was previously issued two archery permits.~~

h) Hunter preference in obtaining a muzzleloading rifle permit shall be given to unsuccessful lottery applicants from the previous year who were unsuccessful due to the county of their choice being full. The following criteria must be met to obtain a preference in the muzzleloading rifle permit lottery.

1) The applicant must apply using the official agency preprinted data-mailer application.

2) The applicant must be a resident of the state, be eligible to receive a Muzzleloading Rifle Deer Permit, and not had deer hunting privileges revoked pursuant to Section 660.50.

3) The applicant must apply for the same first county choice which he/she listed on the previous year's application. Preference for a permit is valid only

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for the first county choice.

4) Where applicants apply as a group, preference for the entire group shall apply as it does above for the individual. All first county choices for the group must be identical.

i) Applications shall be accepted at the counter window of the permit office; however, permits shall be mailed.

j) Permits are not transferrable. Refunds shall not be granted unless the Department of Conservation (Department) has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.

k) A three dollar (\$3.00) service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there shall be no charge. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.

l) Each applicant must enclose a separate \$15.00 (check or money order) payable to the Department of Conservation, or the application shall be returned. Applicants should not send cash with their applications. The Department shall not be responsible for cash sent through the mail.

m) Persons with lottery preferences (i.e., who did not receive a separate Muzzleloading Rifle Deer Permit during the previous year's lottery) shall have first chance at receiving available permits the following year.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 660.21 Deer Permit Requirements - Landowner/Tenant Permits - Paid and Free

Unfilled landowner and tenant firearm deer permits, either paid or free, issued pursuant to 17 Ill. Adm. Code 650.21, shall be valid only on lands owned/leased by the permit holder during the muzzleloading rifle season. However, the only valid weapon during the muzzleloading rifle season is a muzzleloading rifle which meets the requirements of Section 660.30.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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Section 660.25 Deer Permit Requirements - Group Hunt

- a) Up to six individuals may apply to hunt as a group. If applicants are applying in a group, all applications for the group must be sent to the Department in the same envelope. All applications for the group shall be processed together only if they are received in the same envelope. Any applications indicating participation in a group that are not received in the same envelope shall be processed separately.
- b) Each individual must sign his or her own application.
- c) In order to receive preference of the group, all members must have preference for the same county choice. If any member does not have preference for the group's first county choice, the entire group shall not receive preference. The group leader's hunter number is the number identified in the hunter number field on the group leader's application mailer. If the application mailer is lost, the applicant should contact the Permit Office for the leader's hunter number.
- d) Applicants applying as a group shall be rejected if they do not list the same first and second county choice and complete the group leader information listing the identical group leader.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 660.30 Statewide Muzzleloading Rifle Requirements

- a) The only legal hunting device is a muzzleloading firearm of at least .45 caliber shooting a single projectile through a barrel of at least 16 inches in length. (Except that the otherwise lawful possession of rifles to take furbearing mammals and game mammals other than deer shall not be prohibited during the muzzleloading rifle deer season as set in Section 660.10).
- b) All other firearms are illegal.
- c) The standards and specifications for use of such muzzleloading firearm are as follows:
 - 1) The minimum size of the muzzleloading firearm

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projectile shall be .440 caliber (wad or sleeve is not considered part of projectile).

- 2) Black powder or Pyrodex only may be used.
- 3) Removal of percussion cap or removal of prime powder from frizzen pan and attachment of a leather sheath with frizzen stall to flintlocks will constitute an unloaded gunpowder and hammer all the way down will constitute an unloaded muzzleloading firearm.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 660.40 Statewide Deer Hunting Rules

- a) Bag limits: one deer per legally authorized permit.
- b) Totally white, white-tailed deer are protected pursuant to Section 2.24 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 2.24) and are illegal to kill.
- c) The Muzzleloading Rifle Deer Hunting Permit shall have include the hunter's signature, date of birth, Firearm Owners Identification number, hunting license number and physical description recorded on the permit and be worn on the back carried on the person while hunting with hunter's name and address plainly visible.
- d) The leg tag shall be attached and sealed to the leg of the deer at the kill site before the deer is moved or transported. Each leg tag shall remain with the deer carcass while being processed for consumption or other purposes. The leg tag can be discarded only after the deer has been processed, prepared for consumption, and is at the legal residence of the person who legally took or possessed the deer. The leg tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the leg tag to the deer. The head/antler or hide tag shall be attached to the head/antler and hide when detached from the carcass. The head/antler and hide tags shall remain attached to the head/antler or hide as long as the head/antler or hide remains in green state or when in a commercial business for the purpose of taxidermy, tanning, or other manufacturing processing. Deer shall be checked in by the hunter in person by 7:00

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From the same day it is killed, either at the county check station or the nearest check station to the kill site. The head/antler tag and hide tag must remain attached to the appropriate parts until the deer is delivered to a licensed fur buyer, tanner or taxidermist for processing. The leg tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer.

- e) Hunters shall not have in their possession, any deer permit issued to another person, during deer hunting hours while in the field during muzzleloading rifle deer season (permits are non-transferrable).
- f) Permits shall not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 660.45 Reporting Harvest

- a) Within 48 hours of taking a deer by muzzleloading rifle, the hunter must check the deer in at a county archery check station.
- b) Site specific reporting requirements must be followed in addition to this Section.
- c) Failure to follow this Section constitutes illegal possession of deer.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 660.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) The subsections listed below are referred to by number in subsections 660.60(c) through (h). Some of the sites

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listed in subsections 660.60(c) through (h) have numbers in parenthesis which explain the definitions in this Section which apply to that site.

- 1) Tree stands that are used for hunting deer must be legibly marked with the owner's name, address and telephone number when left unattended. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands may be left unattended only during the muzzleloading rifle deer season or as specified in 17 Ill. Adm. Code 670.60.

- 2) Only one tree stand is allowed per hunter.

- c) Statewide regulations shall apply at the following sites:

AMAX Leased Lands

Cache River State Natural Area

Carlyle Lake Wildlife Management Area except Subimpoundment Area

Crawford County Conservation Area ((1))

Dog Island Wildlife Management Area

Hamilton County Conservation Area ((1))

Horseshoe Lake Conservation Area - Alexander County - north of Route 3 only

Kaskaskia River Fish and Wildlife Area, except Doza Creek Waterfowl Management Area where firearm deer hunting is prohibited during duck season

Kidd Lake State Natural Area ((1) (2))

Mississippi River Pools 16, 17, 18, 21, 22, 24

Mississippi River Pools 25, 26 ((1) (2))

Panther Creek Conservation Area ((1))

Rend Lake Project Lands and Waters

Rockhouse Creek (Monroe County) ((1) (2))

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Saline County Conservation Area ((1))Sanganois Conservation Area ((1))

Ten Mile Creek Fish and Wildlife Management Area (permit required; areas designated as Refuge are closed to all access during Canada Goose Season only; windshield cards must be displayed on dashboard of vehicle; permits must be returned by February 15 ((1))

Union County Conservation Area - firing line management unitWildcat Hollow State Park

- d) Statewide regulations shall apply at the following sites (all hunters must check out and report harvest):

Fort de Chartres State Park (hunting in designated areas only ((1) (2))

Giant City State Park

Mermet Conservation Area (no hunting in the waterfowl area)

Pere Marquette State Park ((1))Pyramid State ParkTrail of Tears State ForestTurkey Bluffs Fish and Wildlife Area ((1) (2))Weinberg-King State Park

- e) Statewide regulations shall apply except hunting allowed by permit only. One-day hunter permits are allocated by public drawing every day for the next day's hunt. Drawings for Kickapoo State Park and Middle Fork State Fish and Wildlife Area will be held at the Kickapoo State Recreation Area Office. Check-in and check-out and reporting deer harvested required of all hunters.

Kickapoo State Park ((1) (2))

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Middle Fork Fish and Wildlife Area ((1) (2))Moraine View State Park

- f) Statewide regulations shall apply, except hunters must check in and check out at the site check station ((1))

Sand Ridge State Forest

- g) Hunting is permitted on the North Mainland Area Only; statewide regulations will apply except hunters must check in and check out at the site check station. All individuals must possess a current Christian County or Sangamon County Muzzleloader Deer Permit.

Sangchris Lake Fish and Wildlife Area

- h) Statewide regulations shall apply and in addition all hunters must have a permit allocated by a mail-in drawing held at the Regional Office. Permits will be valid for Area B only. Only one permit will be valid for both 3-day seasons. Only one permit per person will be issued. Any duplicate applications will be denied and the hunter will forfeit his rights to a permit.

Pike County Conservation Area

(Source: Amended at 15 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: INSURANCE REGULATIONS
- 2) Code Citation: 50 Ill. Adm. Code 7100
- 3) Section Number: 7100.70
Proposed Action: Amendment
- 4) Statutory Authority: Implementing Ill. Rev. Stat. 1989, ch. 48, pars. 138.4 and Ill. Rev. Stat. 1989, ch. 48, pars. 172.39 and authorized by Ill. Rev. Stat. 1989, ch. 48, par. 138.16 and Ill. Rev. Stat. 1989, ch. 48, par. 172.51.
- 5) A complete description of the subjects and issues involved: Amendments to Section 7100.70 provide procedures regarding the requirements for approval as a self-insurer. The amendments include procedures regarding application and decision and set forth criteria to be used in determining whether an employer qualifies as a self-insurer.
- 6) Will this proposed rule replace an emergency rule currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do the proposed amendments contain any incorporations by reference?
No
- 9) Are there any proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203)
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons may present their comments concerning this proposed rulemaking in writing within 30 days after publication of this Notice to:

Janet Kirby
Manager/Office of Self-Insurance Administration
Illinois Industrial Commission
701 Second Street
Second Floor
Springfield, Illinois 62704
1-217-785-7085

The Commission will hold a public hearing on the proposed rulemaking as follows:

DATE: Thursday, May 30, 1991
TIME: 1:00 p.m.
PLACE: Illinois Industrial Commission
100 West Randolph
Suite 8-243
Chicago, Illinois 60601

DATE: Thursday, June 6, 1991
TIME: 11:00 a.m.
PLACE: Illinois Industrial Commission
701 South Second Street
Springfield, Illinois 62704

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 24, 1991
- B) Types of small businesses affected: Any business which is self-insured or applies for self-insurance will be affected by these amendments.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendment begins on the next page.

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TITLE 50: INSURANCE
CHAPTER II: INDUSTRIAL COMMISSIONPART 7100
INSURANCE REGULATIONS

Section	Insurance Forms
7100.10	Employer Coverage: Policy (Repealed)
7100.20	Policy Information Page
7100.30	Issuance of Binder Certificate (Repealed)
7100.40	Termination of Insurance
7100.50	Requirements for Approval as a Self-Insurer
7100.70	Self-Insurers to File Statements and Reports
7100.80	Administration of Claims Against Securities,
7100.85	Indemnity or Bonds of Self-Insurers
7100.90	Administration of Claims Against Group
7100.95	Self-Insurer's Insolvency Fund
7100.100	Employers Liability Fund
	Insurance Coverage: Compliance

AUTHORITY: Implementing Section of the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, pars. 138.4, and Section of the Workers' Occupational Diseases Act (Ill. Rev. Stat. 1989, ch. 48, pars. 172.39 and authorized by Section 16 of the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, par. 138.16) and Section 16 of the Workers' Occupational Diseases Act (Ill. Rev. Stat. 1989, ch. 48, par. 172.51).

SOURCE: Filed and effective March 1, 1977; amended at 5 Ill. Reg. 8910, effective August 24, 1981; codified at 7 Ill. Reg. 2345; emergency amendment at 8 Ill. Reg. 15976, effective August 16, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3705, effective March 12, 1985, emergency amendment at 10 Ill. Reg. 6003, effective April 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 15615, effective September 10, 1986; emergency amendment at 14 Ill. Reg. 4920, effective March 9, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13149, effective August 1, 1990; amended at _____ Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 7100.70 Requirements For Approval as a Self-Insurer

a) Any employer under the Workers' Compensation Act and/or the

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Workers' Occupational Diseases Act (Ill. Rev. Stat. 1981, ch. 48, pars. 172.36 et seq.) who shall desire to be approved as a self-insurer shall file with the Commission an application for such approval on a form prescribed by the Commission. The Commission may require as a condition precedent to the approval of such an application that the applicant make a deposit of money or securities on escrow or surety bond in such amount as may be fixed and approved by the Commission. Such deposit shall be made in depository approved by the Commission and subject to such terms and conditions as may be fixed by the Commission. The Commission may also require as a condition precedent to such approval that the applicant further secure the payment of liabilities under the Act or Acts by a policy or policies of excess liability or catastrophe insurance filed with the Commission in such form as may be required and prescribed by the Commission.

b)

The approval as a self-insurer of any employer under the Illinois Workers' Compensation Act and/or Workers' Occupational Disease Act may be terminated by the Commission at any time that the Commission shall not be satisfied as to the securing of payment of compensation provided for in the Acts. Written notice of such termination shall be sent to the employer.

a) Application

1) Initial Application

A) Any private employer under the Workers' Compensation Act (Ill. Rev. Stat. 1989, ch. 48, par. 138.1 et seq.) (the Act) and/or the Workers' Occupational Diseases Act (Ill. Rev. Stat. 1989, ch. 48, par. 172.36 et seq.) who shall desire to be approved as a self-insurer shall file with the Commission an application for approval on a form prescribed by the Commission and a current financial statement. A PRIVATE EMPLOYER DOES NOT INCLUDE GROUP SELF-INSURED EMPLOYERS UNDER SECTION 4(a) OF THIS ACT OR SECTION 4(a) OF THE WORKERS' OCCUPATIONAL DISEASES ACT OR THE STATE OF ILLINOIS, ANY POLITICAL SUBDIVISION OF THE STATE, UNIT OF LOCAL GOVERNMENT OR SCHOOL DISTRICT, OR ANY OTHER PUBLIC AUTHORITIES OR QUASI-GOVERNMENTAL BODIES INCLUDING ANY SUBUNITS OF THE FOREGOING ENTITIES. (Section 4a-2(c) of the Act)

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B) THE APPLICATION AND CURRENT FINANCIAL STATEMENT SHALL BE SIGNED AND SWORN TO BY THE PRESIDENT OR VICE-PRESIDENT AND SECRETARY OR ASSISTANT SECRETARY OF THE EMPLOYER IF IT BE A CORPORATION, OR BY ALL OF THE PARTNERS, IF IT BE A PARTNERSHIP, OR BY THE OWNER IF IT BE NEITHER A PARTNERSHIP NOR A CORPORATION. (Section 4(a)(1) of the Act)

C) In the event the employer does not have a current audited financial statement, the employer must submit a current financial statement which has been prepared by an outside accounting firm.

D) Each corporate subsidiary requesting approval as a self-insurer shall provide the current financial statement of the parent corporation. A subsidiary means any private entity in which another company, directly or indirectly, owns, controls or holds, with the power to vote a majority (more than 50 percent) of the outstanding voting securities of the company.

E) ALL INITIAL APPLICATIONS AND FINANCIAL STATEMENTS SHALL BE SUBMITTED AT LEAST 60 DAYS PRIOR TO THE REQUESTED EFFECTIVE DATE OF SELF-INSURANCE. (Section 4(a)(1) of the Act)

F) All initial applications must include evidence of current workers' compensation insurance coverage which shall be maintained until final approval as a self-insurer is granted.

G) Each private employer applying for self-insurance shall indicate how it will service its self-insurance program. The employer shall provide adequate facilities for the investigation, administration and payment of claims or shall contract with a service company possessing such personnel and facilities to provide such services. If the employer has contracted with a service company for the administration of claims, a copy of the contract must be submitted with the initial application.

2) Renewal Application

A) Each private self-insurer shall, upon notice from the Commission, file annually an application to renew the

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self-insurance privilege. The renewal application shall be on a form prescribed by the Commission and shall be accompanied by a current financial statement as described in subsection (a)(1)(C). The renewal application and current financial statement shall be signed and sworn to in accordance with subsection (a)(1)(B) above. Each corporate subsidiary shall provide the current financial statement of the parent corporation.

B) The self-insurer shall indicate any change in how it will service its self-insurance program. If the employer has contracted with a service company for the administration of claims, a copy of the current contract must be submitted with the renewal application.

b) Application Fee

1) EACH PRIVATE EMPLOYER APPLYING FOR SELF-INSURANCE AND EACH PRIVATE SELF-INSURER APPLYING FOR RENEWAL OF THE SELF-INSURANCE PRIVILEGE SHALL PAY A NON-REFUNDABLE APPLICATION FEE OF \$500.00 WHICH SHALL BE DEPOSITED UPON RECEIPT BY THE COMMISSION INTO THE SELF-INSURERS ADMINISTRATION FUND. (Section 4a-4(a) of the Act)

2) Where the applicant is a corporation, AN APPLICATION FEE SHALL BE REQUIRED OF EACH CORPORATION AND EACH AND EVERY CORPORATE SUBSIDIARY. ((Section 4a-4(a) of the Act)

3) The application fee shall be paid by check or money order made payable to the Self-Insurers Administration Fund.

c) Review of Application

1) WITHIN 45 DAYS OF RECEIPT OF AN INITIAL APPLICATION OR AN APPLICATION TO RENEW THE SELF-INSURANCE PRIVILEGE, THE SELF-INSURER'S ADVISORY BOARD (the Board) SHALL REVIEW THE APPLICATION AND SUBMIT ITS RECOMMENDATIONS FOR DISPOSITION TO THE CHAIRMAN OF THE COMMISSION (the Chairman). (Section 4(i) of the Act)

2) The Board shall evaluate each application on the basis of the employer's ability to demonstrate that its financial strength is sufficient to enable the employer to meet its

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obligations under the Workers' Compensation Act and the Workers' Occupational Diseases Act. The evaluation shall include, but not be limited to, the following:

A) Earned Points on Financial Ratios

A total of 9 or more points calculated by adding points earned in each of the following 3 financial ratios shall create a rebuttable presumption that the employer shows sufficient financial strength to qualify as a self-insurer:

Current Assets to Current Liabilities

2	:	1	=	6	points
1.75	:	1	=	5	points
1.6	:	1	=	4	points
1.4	:	1	=	3	points
1.25	:	1	=	2	points
1.1	:	1	=	1	points
1	:	1	=	0	points

(A negative ratio, one in which current assets are less than current liabilities, may be considered a reason to reject a new application).

Capital & Retained Earnings (Net of Treasury Stock) to Sales (Less Discounts)

20%	=	6	points
17.5%	=	5	points
13.5%	=	4	points
10%	=	3	points
8.5%	=	2	points

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7%	=	1	points
5%	=	0	points

Capital & Retained Earnings to Long Term Debt

2	:	1	=	6	points
1.75	:	1	=	5	points
1.6	:	1	=	4	points
1.4	:	1	=	3	points
1.25	:	1	=	2	points
1.11	:	1	=	1	points
1	:	1	=	0	points

B) The Board may recommend for approval applicants who earn less than 9 points in the financial ratios in subsection (c)(2)(A) if the employers application and financial statement demonstrate the ability of the employer to meet its obligations under the Workers' Compensation Act and Workers' Occupational Diseases Act.

3) Security Requirement

The Chairman shall require as a condition precedent to the approval of an initial or renewal application to self-insure that the applicant furnish security, indemnity and/or surety bond. The Chairman may also require that the applicant further secure payment of liabilities under the Workers' Compensation Act and Workers' Occupational Diseases Act by obtaining a policy of excess liability or catastrophe insurance on such form as may be required by the Commission.

A) Security Determination

- 1) The amount of the security shall be based upon, but not be limited to, such criteria as the employer's financial strength, the amount of aggregate excess insurance, and demonstrated loss experience.

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- 2) An employer's financial strength shall be determined by applying the financial ratio summarization below. The financial ratio summarization is based upon the total number of earned points as calculated by applying the financial ratios in subsection (c)(2)(A). A financial factor (percentage) is assigned to the financial ratio summarization. The applicable financial factor is applied in determining the amount of security in subsections (B) and (C) below.

Financial Ratio Summarization Financial Factor
Earned Points

16 - 18 points	=	35%
14 - 15 points	=	40%
12 - 13 points	=	60%
9 - 11 points	=	70%

B) Security/Aggregate Excess Liability Coverage

Employers who have excess liability insurance coverage shall be required to furnish security based upon the amount of aggregate retention applicable. The security requirement shall be calculated as follows:

- i) Where the employer submits audited financial statements, the security shall be in an amount equal to the loss fund size (the aggregate retention not covered by the excess workers compensation insurance) multiplied by the applicable financial factor (percentage) assigned to the financial ratio summarization in subsection (c)(3)(A)(2).
- ii) If the employer submits financial statements which are not audited, the security shall be in an amount equal to the full loss fund size multiplied by 125 percent.

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- iii) If the employer self-administers its workers' compensation claims program, a factor of 120% is applied to the formulas used in subsections (i) and (ii) above, to cover the contingent claims cost in the event of insolvency.
- C) Security/No Aggregate Excess Liability Coverage
- i) If the employer has no aggregate excess workers' compensation insurance coverage, and submits audited financial statements, the security requirement shall be determined by using the highest amount of security obtained after applying the following formulas:

Reserve formula:

total outstanding loss reserves x applicable trending factor x applicable financial factor = security.

Paid loss formula:

Paid losses for up to each of the last 5 years are multiplied by the applicable trending factors. The total of paid losses is divided by the number of years used to obtain the average yearly paid loss. However, in the event that a employer's losses are affected by growth or size of the entity, the losses will be equalized. The following formula is then applied:

average yearly paid loss x applicable trending factor x applicable financial factor = security.

- ii) If the employer has no aggregate excess workers' compensation insurance coverage and submits financial statements which are not audited, the security requirement shall be determined by using the highest amount of security obtained after applying the following formulas:

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Reserve formula:

total outstanding loss reserves x applicable trending factor x 125% = security.

Paid loss formula:

Paid losses for up to each of the last 5 years are multiplied by the applicable trending factors. The total of paid losses is divided by the number of years used to obtain the average yearly paid loss. The following formula is then applied:

average yearly paid loss x applicable trending factor x 125% = security

iii) If the employer self-administers its workers' compensation claims program, a factor of 120% is applied to the formulas used in subsections i) and ii) above, to cover the contingent claims cost in the event of insolvency.

iv) All trending factors used in this subsection are adopted by resolution of the Board and are available from the Board or the Commission upon request.

D) The security requirement for self-insurers, who upon application for renewal of the privilege, earn less than 9 points after applying the financial ratios in subsection (c)(2)(A), shall be determined as follows:

<u>Points Scored</u>	<u>Loss Fund Size</u>	<u>Minimum % of Increase of Current Security</u>
<u>6 - 8.9</u>	<u>0 - 250,000</u>	<u>130</u>
	<u>250,000-500,000</u>	<u>120</u>
	<u>500,000-1,000,000</u>	<u>110</u>
	<u>1,000,000 +</u>	<u>100</u>
<u>3 - 5.9</u>	<u>0 - 250,000</u>	<u>150</u>
	<u>250,000-500,000</u>	<u>130</u>
	<u>500,000-1,000,000</u>	<u>120</u>
	<u>1,000,000 +</u>	<u>110</u>

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<u>0 - 2.9</u>	<u>0 - 250,000</u>	<u>200</u>
	<u>250,000-500,000</u>	<u>175</u>
	<u>500,000-1,000,000</u>	<u>150</u>
	<u>1,000,000 +</u>	<u>130</u>

E)

As part of the security to be submitted by a subsidiary, the subsidiary shall obtain a guarantee by the parent company that the obligations of the subsidiary under the Workers' Compensation Act and Workers' Occupational Diseases Act shall be paid. The guarantee shall be submitted on a form prescribed by the Commission. Whenever a self-insured parent or subsidiary subsequently changes ownership, it must notify the Commission immediately.

F)

No surety bond may be terminated unless the Chairman has received written notice of such prospective termination at least 60 days prior to the termination date.

G)

DEPOSITS UNDER ESCROW AGREEMENTS SHALL BE CASH. NEGOTIABLE UNITED STATES GOVERNMENT BONDS OR NEGOTIABLE GENERAL OBLIGATION BONDS OF THE STATE OF ILLINOIS. SUCH CASH OR BONDS SHALL BE DEPOSITED IN ESCROW WITH ANY STATE OR NATIONAL BANK OR TRUST COMPANY HAVING TRUST AUTHORITY IN THE STATE OF ILLINOIS. (Section 4(b) of the Act) All escrow agreements must be on a form provided by the Commission. Securities used to fund an escrow account shall have at all times a market value at least equal to the security requirement determined by the Chairman.

d) Decision

WITHIN 45 DAYS OF RECEIPT OF AN INITIAL APPLICATION OR APPLICATION TO RENEW THE SELF-INSURANCE PRIVILEGE, THE BOARD SHALL ADVISE THE CHAIRMAN OF ITS RECOMMENDATIONS REGARDING THE DISPOSITION OF THAT INITIAL AND RENEWAL APPLICATION. IF THE CHAIRMAN DISAGREES WITH ANY OF THE BOARD'S RECOMMENDATIONS, HE SHALL WITHIN 30 DAYS OF RECEIPT OF THE BOARD'S RECOMMENDATIONS, NOTIFY THE BOARD OF THE REASONS IN SUPPORT OF HIS DECISION. THE CHAIRMAN SHALL ALSO PROMPTLY NOTIFY THE EMPLOYER OF HIS DECISION. WITHIN 15 DAYS OF RECEIPT OF THE RECOMMENDATION OF THE BOARD, (Section 4(i) of the Act)

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1) Approval

A) The Chairman shall notify the applicant in writing that it has been conditionally approved as a self-insurer. Approval will be conditioned upon the furnishing of appropriate and adequate security. The notice shall set forth the requirements to be met, including, but not limited to, the furnishing of security, obtaining appropriate excess liability or catastrophe insurance, and submission of an appropriate claims administration and loss control program.

B) Within 60 days of receipt of the notice described in subsection (d)(1)(A), the employer shall comply with all of the requirements as stated in the notice. The Chairman shall then issue a certificate of approval as a self-insurer. The effective date of self-insurance shall be set forth in the certificate of approval.

C) Failure of the employer to comply with all requirements within 60 days of receipt the notice in subsection (d)(1)(A), shall result in rejection of the initial or renewal application and denial of the request for approval as a self-insurer. Nothing herein shall bar the employer from reapplying for approval as a self-insurer.

2) Denial

A) The Chairman shall notify the employer that the employer's initial or renewal application and financial statement do not warrant approval of the self-insurance privilege. The notice shall set forth the reasons why the employer's application for approval as a self-insurer should be denied. The notice shall also set forth a place and a time, within 30 days from the date of the notice, at which the employer may present additional documentation.

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B) If the Chairman determines that the request for self-insurance should be denied, after the employer is given an opportunity to present additional documentation in accordance with subsection (d)(2)(A) above, the Chairman shall issue an order denying the request for approval as a self-insurer. The order shall set forth the reasons for the denial.

C) Where the Chairman denies an application for renewal of the self-insurance privilege, nothing herein shall bar an employer from reapplying for approval as a self-insurer. Such re-application shall be considered an initial application and must qualify under subsection (c)(2).

e) Additional Information

1) The Chairman may at any time, on his own initiative or at the request of the Board, require a self-insurer to file additional information related to the self insurers' ability to adequately secure payment of its financial obligations under the Workers' Compensation Act and Workers' Occupational Diseases Act. Such information shall include, but not be limited to, information related to the employers financial condition, the employer's ability to provide an adequate claims administration, loss control, or safety program, and to provide adequate excess insurance coverage.

2) Upon review of the additional information, if the Chairman finds, after consultation with the Board, that the security furnished by the self-insurer should be adjusted or that the self-insurance privilege should be terminated, the Chairman shall notify the employer of any change in the security requirement or of his intent to terminate the self-insurance privilege. The notice shall set forth a time and place, within 30 days from the date of the notice, at which the employer may present additional documentation. The Chairman, after the employer is given the opportunity to present additional documentation, shall notify the employer of his decision.

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g) Appeal

ALL ORDERS MADE BY THE CHAIRMAN UNDER SECTION 4(j) OF THE ACT SHALL BE SUBJECT TO REVIEW IN THE SAME MANNER AND WITHIN THE SAME TIME AS PROVIDED BY SUBSECTION (F) OF SECTION 19 OF THE ACT FOR REVIEW OF AWARDS AND DECISIONS OF THE COMMISSION. (Section 4(j) of the Act)

(Source: Amended at _____ Ill. Reg. _____, effective _____.)

- 1) Heading of the Part: Surplus Line Business Requirements
- 2) Code Citation: 50 Ill. Adm. Code 2801
- 3) Section Numbers: Proposed Action:
2801.50 Amended
- 4) Statutory Authority: Implementing Section 445 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1989, ch. 73, pars. 1057 and 1013).
- 5) A Complete Description of the Subjects and Issues Involved:
The attached amendatory language will ensure that only authorized insurers will be effecting primary coverage for commercial fire, residential fire including homeowners, commercial and private passenger auto liability, and workers' compensation policies or contracts.

The adoption of these amendments will provide additional protection to Illinois residents from unlicensed insurance companies.

- 6) Will this proposed rule replace emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: N/A
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Tim Cena, Staff Attorney
Department of Insurance
State of Illinois Center
100 West Randolph - Suite 15-100
Chicago, Illinois 60601

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- 12) Initial Regulatory Flexibility Analysis: The Department has determined that these amendments will not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

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TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER 99: FINAL PROVISIONS

PART 2801

SURPLUS LINE BUSINESS REQUIREMENTS

Section

2801.10	Policies or Contracts of Insurance
2801.20	License Expiration
2801.30	Unauthorized Companies
2801.40	Maintenance of Funds in Illinois
2801.50	Procurement of Policies or Contracts
2801.60	Record of Efforts to Procure Policies or Contracts
2801.70	Declinations of Artificial Coverage not Acceptable
2801.80	Surplus Line Association of Illinois
2801.90	Separate Records and Accounts
2801.100	License Rejection or Renewal Refusal
2801.110	Service of Process
2801.120	Required Surplus Line Policy Notice
2801.130	Taxes
2801.140	Classes not Subject to Surplus Line Law
ILLUSTRATION A Written Warning to Insureds	

AUTHORITY: Implementing Section 445 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1989, ch. 73, pars. 1057 and 1013).

SOURCE: Filed July 11, 1958; codified at 7 Ill. Reg. 897; amended at 12 Ill. Reg. 11754, effective 7/1/88; amended at _____, effective _____.

Section 2801.50 Procurement of Policies or Contracts

- a) The Surplus Line producer must exert diligent effort to procure the policies or contracts required by the insureds from companies which are authorized to transact business in Illinois (Section 445 of the Code). Diligent effort by the Surplus Line producer shall be deemed to have been exercised if the Surplus Line producer or the referring insurance producer shall submit a risk to three or more authorized companies, which are engaged in writing in Illinois the type of coverage sought, or if there are no companies actually engaged in writing such coverage, the risk shall be submitted to companies which, in the Surplus Line producer's or the insurance producer's professional

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judgement, are the most likely to accept the risk. Primary coverages for commercial fire, residential fire including homeowners, commercial and private passenger auto liability and workers' compensation shall be submitted to the respective involuntary market, i.e., Illinois FAIR Plan Association, Illinois Automobile Insurance Plan and the Illinois Workers' Compensation Assigned Risk Plan.

- b) Submission of insuring contracts to the Surplus Line Association of Illinois constitutes a certification by the surplus line producer or by the insurance producer who presented the risk to the surplus line producer for placement as a surplus line risk that after diligent effort the required insurance could not be procured from companies which are authorized to transact business in this State and that such procurement was otherwise in accordance with the surplus line law.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

LOCAL RECORDS COMMISSION

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- 1) Heading of the Part: Local Records Commission
- 2) Code Citation: 44 Ill. Adm. Code 4000
- 3) Section Numbers: Proposed Action:
4000.30 Amendment
4000.60 Amendment
- 4) Statutory Authority: Sections 5 and 6 of the Local Records Act (Ill. Rev. Stat. 1989, ch. 116, pars. 43.101 et. seq.)
- 5) A Complete Description of the Subjects and Issues Involved: Section 4000.30 is being amended to comply with an internal audit finding that the Local Record Commission's rules concerning the gathering and retention of sample documents was inconsistent with actual practice. Section 4000.60 is being amended to revise the technical standards of quality for permanent record microphotographic film.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these Proposed Amendments contain incorporation by reference? Yes
- 9) Are there any other Proposed Amendments pending on this part? No
- 10) Statement of Statewide Policy Objectives: The proposed amendments will not require local governments to meet additional revenues to establish, expand or modify their activities.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on these proposed amendments may be made in writing for a period of 30 days following publication of this notice. Comments should be submitted to: Local Records Commission, in care of Mark W. Sorensen, Illinois State Archives, Springfield, Illinois 62762 (217)782-1082.

Local Records Commission rules can be viewed at the Illinois State Archives, Monday through Friday from 8:00 a.m. to 4:00 p.m.

LOCAL RECORDS COMMISSION

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- 12) Initial Regulatory Flexibility Analysis: Not applicable.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND
PROPERTY MANAGEMENT
SUBTITLE C: GOVERNMENTAL RECORDS
CHAPTER I: LOCAL RECORDS COMMISSION

PART 4000

LOCAL RECORDS COMMISSION

Section

- 4000.10 General
4000.20 Definitions
4000.30 Procedures for Compiling and Submitting Lists and
Schedules of Records for Disposal
4000.40 Procedures for the Physical Destruction or Other
Disposition of Records Proposed for Disposal
4000.50 Standards for the Reproduction of Records by
Microphotographic Processes with a View to the Disposal
of the Original Records
4000.60 Minimum Standards of Quality for Permanent Record
Photographic Microcopying Film
APPENDIX A Limits for Residual Thiosulfate (Repealed)

AUTHORITY: Implementing and authorized by the Local Records Act
(Ill. Rev. Stat. 1989; ch. 116, pars. 43.101 et seq.)

SOURCE: Filed August 6, 1975; amended at 4 Ill. Reg. 29, p. 274,
effective July 3, 1980; codified at 8 Ill. Reg. 15501; recodified
from Secretary of State to Local Records Commission at 9 Ill. Reg.
15502; amended at 9 Ill. Reg. 17796, effective November 5, 1985;
amended at 15 Ill. Adm. Code _____, effective _____, 1991.

Section 4000.30 Procedures for Compiling and Submitting Lists and
Schedules of Records for Disposal

- a) The presiding judge of any court of record or the head of
each agency shall submit to the Local Records Commission
lists or schedules of public records in his custody that
are not needed in the transaction of current business and
that do not have sufficient administrative, legal, or
fiscal value to warrant their further preservation.

- 1) Lists are applications for authority to destroy
records that have accumulated.
- 2) Schedules are applications for continuing authority
to destroy records after specified periods of time
or the occurrence of specified events.

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- b) New lists or schedules are required whenever the informational contents of a record series are changed.
- c) An original and one copy of all applications for authority to destroy records shall be submitted to the Commission on forms available from the Local Records Commission, Archives Building, Springfield, Illinois, 62756.
- d) ~~Application~~ Applications for authority to ~~destroy~~ dispose of local records shall ~~must~~ be accompanied ~~only~~ by samples of each record series ~~proposed for destruction~~ which the Commission has not previously reviewed. ~~The samples will be filed as permanent records of the local records commission.~~ In the case of confidential records, blank forms and explanatory statements may be submitted in place of originals.
- e) Nonrecord materials may be destroyed at any time by the agency in possession of such materials without the prior approval of the Commission. However, whenever the head of any agency doubts whether certain papers are nonrecord materials, he should presume that they are records.

(Source: Amended at 15 Ill. Reg. _____, effective _____, 1991).

Section 4000.60 Minimum Standards of Quality for Permanent Record Photographic Microcopying Film

- a) These standards are concerned with both raw stock for permanent record films and with the processed films ready for storage. ~~They are not restricted to microfilm but apply equally to motion picture films, roll films, and sheet films.~~ No incorporation by reference in Section 4000.60 includes precludes any later ~~amendments or~~ editions reaffirmations.
- b) All such film stock shall be of approved permanent type such as meets the minimum specifications of the American National Standards Institute (ANSI) as found in:
PHI.25-19761984
PHI.28-19811984
PHI.41-19811984

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- c) Each frame of microfilm shall be exposed and processed so that every line and character on the document appears on the microfilm with sufficient clarity to permit reproducibility through three successive generations of reproduction. Microimages and paper copies thereof must "exhibit a high degree of legibility and readability." Legibility is defined as "the quality of a letter or number that enables the observer to identify it positively and quickly to the exclusion of all other letters or numerals." Readability is "the quality of a group of letters or numerals being recognizable as words or complete numbers." With regard to operational procedures, inspection, and quality control of silver gelatin microfilm, ANSI/NMA MS23-1983, PHI.25-19767 PHI.28-1981, and PHI.41-1978 shall apply. Agencies microfilming public records with a view to disposal of the originals must comply with the following ANSI standards relating to preparing and filming of records and the use, storage and inspection of developed film: ANSI PHI.25-1984, ANSI PHI.28-1984, ANSI PHI.41-1984, ANSI PHI.43-1983, ANSI PHI.48-1985, ANSI PH5.8-1972-R1978, and ANSI/AIIM MS19-1978.

- d) The background photographic densities must be appropriate to the type of documents being filmed.

- 1) Appropriate background densities must be ~~are~~ as follows:

Classification	Description of Documents	Background Density
Group 1	High-quality printed periodicals, and dense typing.....	1-30-1-501.10-1.40
Group 2	Fine-line originals, letters typed with a worn ribbon, pencil writing with a soft lead, and documents with small printing...	1-15-1-401.00-1.20
Group 3	Pencil drawings, faded printing, graph paper with pale, fine colored lines, and very small printing such as footnotes.....	1-00-1-20.90-1.10
Group 4	Very weak pencil manuscripts and drawings, and poorly printed, faint documents.....	0-90-1-10.80-1.00

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Classification	Description of Documents	Background Density
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Group 5

~~com~~ Although not a general practice, some poor-contrast documents may require a lower background density (i.e. photo-stats or blueprints, etc.....1.50-2.00.70-.90
Computer-Output Microforms.....1.50-2.00

Group 6

2) The base-plus-fog density of unexposed, processed, clear based microfilm must not exceed 0.10.

(Source: Amended at 15 Ill. Reg. _____, effective _____, 1991.

DEPARTMENT OF PROFESSIONAL REGULATION

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1) Heading of the Part: Medical Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1285

3) Section Numbers: Proposed Action:

1285.20	Amending
1285.40	Amending
1285.50	Amending
1285.60	Amending
1285.70	Amending
1285.80	Amending
1285.90	Amending
1285.95	Amending
1285.120	Amending

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, par. 4400-10 and 4400-11

5) A Complete Description of the Subjects and Issues Involved:

In cases where a written affiliation agreement does not exist, the Department shall accept, in lieu of such agreement, affidavits signed by the current dean of the medical college and the current administrator of the clinical teaching facility verifying that certain conditions required by Section 1285.20(g) were met.

In Section 1285.50 pertaining to Application for Examination and Section 1285.90 pertaining to Temporary Licenses, a subsection (10) is being added to require submission of information concerning any previous licensure in another jurisdiction.

Section 1285.90 is being changed to allow a 14-day extension of a temporary license without the need to file an extension application with the Department.

Pursuant to Public Act 85-1245, effective January 1, 1989, Section 1285.95 is being modified. Effective January 1, 1990, this Section shall apply to all individuals who graduated more than 5 years prior to the date of licensure, not just individuals who graduated prior to January 1, 1985.

In addition, other minor modifications to the text have been made.

6) Will these proposed amendments replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

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- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable):
There is no statement of statewide policy objectives.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 23, 1991
- B) Types of small businesses affected: Approved postgraduate training programs which employ individuals having been issued a temporary license to practice medicine are indirectly affected.
- C) Reporting, bookkeeping or other procedures required for compliance: Reporting requirements are confined to the submission of applications or supporting documents necessary for obtaining licensure under the Act.
- D) Types of professional skills necessary for compliance: For licensure, applicants will have to meet the minimum qualifications outlined in these amendments.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1285
MEDICAL PRACTICE ACT OF 1987

SUBPART A: MEDICAL LICENSING, RENEWAL & RESTORATION PROCEDURE

Section	
1285.20	Six (6) Year Post-Secondary Programs of Medical Education
1285.30	Programs of Chiropractic Education
1285.40	Approved Postgraduate Clinical Training Programs
1285.50	Application for Examination
1285.60	Examinations
1285.70	Application for License on the Basis of Examination
1285.80	License by Endorsement
1285.90	Temporary Licenses
1285.95	Clinical Skills Standards for Pre-1985--Graduates Applicants Having Graduated More Than Five (5) Years Prior to Application
1285.100	Visiting Professor Permits
1285.110	Continuing Medical Education (CME)
1285.120	Renewals
1285.130	Restoration and Inactive Status
1285.140	Granting Variances

SUBPART B: MEDICAL DISCIPLINARY PROCEEDINGS

1285.200	Medical Disciplinary Board
1285.205	Complaint Committee
1285.210	The Medical Coordinator
1285.215	Complaint Handling Procedure
1285.220	Informal Conferences
1285.225	Consent Orders
1285.230	Summary Suspension
1285.235	Mandatory Reporting of Impaired Physicians by Health Care Institutions
1285.240	Standards
1285.245	Advertising
1285.250	Monitoring of Probation and Other Discipline and Notification
1285.255	Rehabilitation
1285.260	Fines
1285.265	Subpoena Process of Medical and Hospital Records
1285.270	Inspection of Physical Premises
1285.275	Failing to Furnish Information

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SUBPART C: GENERAL INFORMATION

- 1285.310 Public Access to Records and Meetings
 1285.320 Response to Hospital Inquiries
 1285.330 Rules of Evidence

AUTHORITY: Implementing the Medical Practice Act of 1989 (Ill. Rev. Stat. 1987, ch. 111, pars. 4401-1 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 60(7)).

SOURCE: Adopted at 13 Ill. Reg. 483, effective December 29, 1988; emergency amendment at 13 Ill. Reg. 651, effective January 1, 1989, for a maximum of 150 days; emergency expired May 31, 1989; amended at 13 Ill. Reg. 10613, effective June 16, 1989; amended at 13 Ill. Reg. 10925, effective June 21, 1989; emergency amendment at 15 Ill. Reg. _____, effective _____, for a maximum of 150 days; amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

SUBPART A: MEDICAL LICENSING, RENEWAL & RESTORATION PROCEDURE

Section 1285.20 Six (6) Year Post-Secondary Programs of Medical Education

The standards for the six (6) year post-secondary program of medical or osteopathic ("medical") education described in Section 11(A)(2)(a)(i) of the Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, par. 4400-1, et seq.) ("the Act") are:

- a) At least two (2) academic years of a course of instruction, ~~prerequisite to professional training in a college, university or other institution of liberal arts or a medical college.~~
- b) At least two (2) academic years of study in the basic medical sciences which shall include formal instruction in at least the following subjects:
 - 1) anatomy
 - 2) biochemistry
 - 3) physiology
 - 4) microbiology and immunology
 - 5) pathology
 - 6) pharmacology and therapeutics
 - 7) preventive medicine
- c) The required basic science courses stated in subsection (b) must be taken and completed as part of a program of medical education taught at a medical school and shall not be accepted or co-validated from courses completed as a student in a secondary school, community college, or college of

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liberal arts and sciences at which degrees are earned prior to the commencement of the medical education program.

- d) At least two (2) academic years of study in the clinical sciences, while enrolled in the medical college which conferred the degree, which shall include at least the following required core clerkship rotations:

- 1) internal medicine
- 2) obstetrics and gynecology
- 3) pediatrics
- 4) psychiatry
- 5) surgery

- e) The core clerkship rotations must have been taken and completed in clinical teaching facilities owned, operated or formally affiliated with the medical college which conferred the degree or under contract in teaching facilities owned, operated or formally affiliated with another medical college which is officially recognized by the jurisdiction in which the medical school which conferred the degree is located.

- f) Each applicant for licensure who completed rotations in an affiliated teaching facility must submit a copy of each affiliation agreement between the medical college which conferred the degree and each clinical teaching facility in which a core clerkship rotation was completed. The affiliation agreement(s) to be considered valid pursuant to Section 11(A)(2)(a)(i) of the Act must:

- 1) be in writing;
- 2) be dated;
- 3) be fully executed by the administrator of the clinical teaching facility and the Dean of medical college; and
- 4) clearly define the rights and responsibilities of each party including agreements on the role and authority of the governing bodies of both the clinical teaching facility and the medical college.
- 5) The affiliation agreement(s) must be substantiated by submission of an evaluation form completed by the supervising physician for each core clerkship rotation completed ~~by the supervising physician for that rotation.~~

- g) If a written affiliation agreement does not exist, the Department of Professional Regulation (the "Department") shall accept, in lieu of such

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agreement, affidavits signed by the current Dean of the medical college and the current administrator of the clinical teaching facility which verifies the following:

- 1) that a verbal agreement existed between the clinical teaching facility and the medical college at the time which such core clerkship rotation was completed;
- 2) that the individual was authorized to complete such core clerkship rotation;
- 3) that such core clerkship rotation was completed satisfactorily.
- 4) Such affidavit shall be substantiated by submission of the evaluation form completed by the supervising physician for each core clerkship rotation.

g) h) For the purposes of this Section, "academic year" shall be defined as a minimum of nine (9) months in length which includes no less than 25 clock hours per week of basic sciences as set forth in subsection (b) above and no less than 40 clock hours per week of clinical sciences as set forth in subsection (d) above.

h) i) Each clerkship shall be at least four (4) weeks ~~but no more than twelve (12) weeks~~ in length, shall consist of a hands-on exposure to patients which is planned, managed and supervised by faculty of the medical school conferring the degree, and be performed in accordance with all requirements of the jurisdiction in which it is completed.

i) j) Clinical teaching facilities are defined as those which meet or exceed the requirements of Section 1285.40 or which are part of a residency program accredited by the Accreditation Council for Graduate Medical Education (ACGME), the American Osteopathic Association (AOA), or the Accreditation Council on Canadian Graduate Medical Education (ACCGME).

j) k) In addition, if the applicant is a graduate of a medical college outside of the United States and Canada, he must successfully complete an examination conducted by the Educational Council Commission for Foreign Medical Graduates, either the ECFMG or the Visa Qualifying Examination (VQE), or Foreign Medical Graduates Examination in the Medical Sciences (FMGEMS), or another comprehensive examination determined by the Department to be substantially equivalent.

l) When the accuracy of any submitted documentation, or the relevance or sufficiency of the coursework or core clerkship rotations is questioned by the Department because of discrepancies or conflicts in information,

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information needing further clarification, or missing information, the applicant shall be requested to:

- 1) provide such information as may be necessary; and/or
- 2) appear for an oral interview before the Medical Licensing Board (the "Board") to explain such relevance or sufficiency or otherwise clear up any discrepancies or conflicts in information.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.40 Approved Postgraduate Clinical Training Programs

a) A hospital shall, in the judgment of the Department, be deemed approved for the post-graduate clinical training ("clinical training") required for licensure if it meets the following standards:

- 1) Contains at least the departments of internal medicine, surgery, obstetrics and pediatrics; and has an organized departmentalized staff, holding meetings monthly for case reviews and study.
- 2) Laboratory employing a full-time technician and at least a part-time pathologist legally empowered to perform said services, visiting the laboratory at least two (2) days per week.
- 3) Radiological department employing an X-ray technician and at least a part-time roentgenologist legally empowered to perform said services, visiting the department at least two (2) days per week.
- 4) Maintenance of an up-to-date medical library located in a study room available to residents.
- 5) Such hospital shall, upon request, provide the Department with the names of staff members of the various departments of the hospital.
- 6) The hospital, ~~upon a physician's completion of a course of training therein of not less than twenty-four (24) months, shall issue a certificate of completion of clinical training to the physician or certify, on forms provided by the Department, to the satisfactory completion of not less than twelve (12) or twenty-four (24) months of clinical training as required by Section 11 of the Act~~ ~~residency programs on forms supplied by the Department.~~ Such certificate certification shall identify the commencement date and the concluding date of the course of training.

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- b) The Department, upon the recommendation of the Medical Licensing Board has determined that all clinical training programs ~~approved~~ accredited by the Accreditation Council for Graduate Medical Education, the American Osteopathic Association, and the Accreditation Council on Canadian Graduate Medical Education as of January 1, 1988, meet the minimum criteria set forth in this Section and are, therefore, approved, except as provided in subsection (c) below.
- c) In the event of a decision by any of the above accrediting bodies in subsection (b) to suspend, withdraw or revoke accreditation of any clinical training program accredited as of January 1, 1988, the Board shall proceed to evaluate the program and either approve or disapprove the program pursuant to the minimum criteria set out in subsection (a) above.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.50 Application for Examination

- a) An applicant for licensure to practice medicine in all of its branches must make application to the Department of ~~Professional Regulation~~ ~~the "Department"~~ or its designated testing service on forms furnished by the Department at least 90 days prior to such examination.
- b) Each applicant to take the examination for a license to practice medicine in all of its branches shall submit to the Department:
- 1) A fully completed application which is signed, on which all questions have been answered, and all programs of medical education attended by the applicant have been identified;
 - 2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act.
 - 3) An official transcript of ~~the~~ a course of instruction ~~prerequisite to professional training in a college, university or other institution of higher arts or a medical college.~~
 - 4) An official transcript and the diploma or official transcript and

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certification of graduation from the medical education program granting the degree.

- 5) ~~The applicant~~ Individuals applying under Section 11(A)(2)(a)(i) shall also submit certification on forms provided by the Department, that the core clerkship rotations were completed at ~~clinical teaching facilities owned, operated or formally affiliated with another medical college which is officially recognized by the jurisdiction in which the medical school which conferred the degree is located in accordance with Section 1285.20 of this Part.~~ Each applicant for licensure who completed rotations in an affiliated teaching facility must submit a copy of each affiliation agreement between the medical college which conferred the degree and each clinical teaching facility in which a core clerkship rotation was completed. ~~The affiliation agreement(s) to be considered valid pursuant to Section 11(A)(2)(a)(i) of the Act must:~~
- A) be in writing;
 - B) be dated;
 - C) be fully executed by the administrator of the clinical teaching facility and the Dean of the medical college; and
 - D) clearly define the rights and responsibilities of each party, including agreements on the role and authority of the governing bodies of both the clinical teaching facility and the medical college.
 - E) ~~The affiliation agreement(s) must be substantiated by submission of an evaluation form for each core clerkship rotation completed by the supervising physician for that rotation.~~
- 6) A complete work history since graduation from medical school;
- 7) Fees as required by Section 21 of the Act.
- 8) For applicants to practice medicine in all of its branches, proof of satisfactory completion of an approved ~~post-graduate clinical training~~ program in accordance with Section 1285.40.
- 9) In addition to the requirements of this Section, ~~pre-1985 graduates~~ applicants having graduated more than five (5) years prior to application will be required to provide documentation of clinical skills

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as set forth in Section 1285.95 of this Part and Section 11(A)(2)(A)(i) of the Act.

10) If such applicant has ever been licensed in another jurisdiction, certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed stating:

- A) The date of issuance of the applicant's license;
- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
- C) Name and location of the college, university, or other institution from which the applicant received his medical education, type of degree and date degree was conferred;
- D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;

c) Examination prior to Completion of Clinical Training

- 1) A candidate may apply for the examination and take the examination given prior to completion of the clinical training required by the Act, provided such applicant:
 - A) is registered in an approved program of clinical training and on whose behalf a temporary license by the Department has been issued pursuant to the provisions of Section 17 of the Act;
 - B) satisfies all of the requirements to take the examination for licensure to practice medicine in all of its branches, except completion of an approved program of clinical training; and
 - C) furnishes a statement from hospital authorities certifying that such applicant has completed at least four (4) calendar months of such approved program of clinical training, and performance in such training is satisfactory to date.
- 2) The results of such examination shall be made available to the applicant but no license shall be issued until the Department receives

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proof of such applicant's satisfactory completion of the required approved clinical training program.

(Source: Amended at 15 Ill. Reg. _____ effective _____)

Section 1285.60 Examinations

a) Examinations for licensure to practice medicine in all of its branches:

- 1) Examinations conducted by the Department or its designated testing service for licensure to practice medicine in all of its branches shall be conducted in the English language and shall consist of:
 - A) The Federation Licensing Examination-FLEX Component 1 - an examination placing emphasis on basic and clinical science principles and mechanisms underlying high-impact diseases and problems encountered in an in-patient, supervised setting, during the delivery of health care; and,
 - B) The Federation Licensing Examination-FLEX Component 2 emphasis on issues related to the general delivery of health care to patients in an ambulatory setting encountered in an independent practice.
- 2) To be successful examinees must receive a score of at least 75 in each Component of the examination.
- 3) In the case of failure on the examination, examinees shall be required to retake only that Component of the examination on which they did not achieve a score of at least 75 provided both Components are successfully completed within three (3) years from the date of the filing of their application ~~first-writing-of-the-examination~~. In the event both Components are not successfully completed within three (3) years, credit for any Component passed shall be forfeited.
- 4) Any applicant for licensure to practice medicine in all of its branches who has been unsuccessful in 5 examinations conducted in this state or any other jurisdiction shall be deemed ineligible for further examination until such time as the Department is in receipt of proof that such applicant has completed, subsequent to his fifth failure:
 - A) a course of clinical training of not less than 12 months in an ~~approved~~ ~~accredited clinical hospital training program~~ in the United States or Canada in accordance with Section 1285.40, or

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- B) a course of study of nine (9) months in length (one academic year) which includes no less than 25 clock hours per week of basic sciences as set forth in Section 1285.20(b) of this Part and no less than 40 clock hours per week of clinical sciences as set forth in Section 1285.20(d) of this Part, or
- C) any other formal professional study or training in an accredited medical college or hospital, deemed by the Department to meet the requirements of subsection (A) or (B) above.
- 5) For purposes of determining the number of failures, the Department shall count as a failure any examination attempt in which a candidate fails to appear for all Components of the examination for which he has been scheduled.
- b) Examinations for licensure to practice chiropractic.
- 1) Examinations for licensure to practice chiropractic shall be conducted in the English language and shall consist of the examination administered by the National Board of Chiropractic Examiners and shall consist of Part I, Part II, and Part III ~~the Written Clinical Competency Examination~~.
- 2) To be successful, examinees must receive a score of at least 75 on all three parts of the examination.
- 3) Any applicant for licensure as a chiropractic physician who has been unsuccessful in 5 examinations in this state or any other jurisdiction shall be deemed ineligible for further examination until such time as the Department is in receipt of proof (i.e., certificate of completion of training, transcript) that such applicant has completed, subsequent to his fifth failure, a course of study of 960 classroom hours (one academic year) in an accredited chiropractic program.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.70 Application for a License on the Basis of Examination

- a) Each applicant for a license to practice medicine in all of its branches on the basis of examination must submit to the Department:
- 1) A fully completed application which is signed on which all questions have been answered, and all programs of medical education attended by the applicant have been identified, including dates of attendance;

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- 2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act.
- 3) An official transcript of ~~the~~ a course of instruction ~~prerequisite to professional training in a college, university or other institution of liberal arts or medical college;~~
- 4) A complete work history since graduation from medical school;
- 5) Fee as required by Section 21 of the Act; and
- 6) An official transcript and the diploma or an official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum medical education requirements of the Act.
- 7) Individuals applying under Section 11(A)(2)(a)(i) of the Act shall also submit certification, on forms provided by the Department, ~~Such evidence shall include proof that the core clerkship rotations were completed at clinical teaching facilities owned, operated or formally affiliated with the medical college which conferred the degree or under contract in teaching facilities owned, operated or formally affiliated with another medical college which is officially recognized by the jurisdiction in which the medical school which conferred the degree is located in accordance with Section 1285.20 of this Part.~~
- 7) For applicants to practice medicine in all of its branches, proof of satisfactory completion of an approved program of ~~postgraduate clinical training in accordance with Section 1285.40 of 24 months' duration in a hospital in the United States or Canada approved by the Department.~~
- 8) Proof on forms provided by the Department of the successful completion of the examination set forth in Section 1285.60.
- 10) A certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed stating:

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- A) The date of issuance of the applicant's license;
- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
- C) Name and location of the college, university or other institution from which the applicant received his medical education, type of degree and date degree was conferred;
- D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;
- 9) 11) In addition to the requirements of this Section, ~~pre-1985 graduates~~ applicants who graduate more than five (5) years prior to application will be required to provide documentation of clinical skills as set forth in Section 1285.95 of this Part and Section 11(A)(2)(a)(i) of the Act.
- 10) 12) Waiver.
- A) The provisions of subsection (9) (8) above shall be waived for a candidate for licensure to practice medicine in all of its branches who makes application in form and substance satisfactory to the Department under Section 9 of the ~~Medical Practice Act of 1987~~ and causes to be filed with the Department, in addition to his application, proof of the candidate's successful completion of:
- i) the National Board of Medical Examiners examination subsequent to January 1, 1964; or
 - ii) the National Board of Examiners for Osteopathic Physicians and Surgeons examination subsequent to June 1, 1973; or
 - iii) the Federation Licensing Examination ("FLEX") in another state obtaining a FLEX weighted average of 75 or more subsequent to June 1, 1968; or
 - iv) the Licentiate of the Medical Council of Canada examination ("LMCC") subsequent to May 1, 1970; or
 - v) The Federation Licensing Examination ("FLEX") in another state obtaining a score of 75 or more in each Component.
- B) Verification of the candidate's successful completion of the above described examinations shall show the scores achieved by the candidate on the examination with certificate number(s) and where and when the candidate took the examination.

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- b) Each applicant for a license to practice as a chiropractic physician must submit to the Department:
- 1) A fully completed application which is signed, on which all questions have been answered, and all programs of chiropractic education attended by the applicant have been identified including dates of attendance;
 - 2) An official transcript of a course of instruction, prerequisite to professional training in a college, university or other institution from which the applicant received his chiropractic education;
 - 3) An official transcript and copy of diploma or official transcript and certification of graduation from the education program granting the professional degree which shall evidence that the applicant has met the minimum chiropractic education requirements of Section 11 of the Act.
 - 4) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act.
 - 5) A complete work history since graduation from chiropractic school;
 - 6) Fee as required by Section 21 of the Act; and
 - 7) Proof of the successful completion of Part I, Part II and Part III of the ~~Written-Clinical-Competency Examination~~ forwarded directly to the Department from the National Board of Chiropractic Examiners.
 - 8) A certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed stating:
 - A) The date of issuance of the applicant's license;
 - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
 - C) Name and location of the college, university, or other institution from which the applicant received his chiropractic education, type of degree and date degree was conferred;

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- D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.80 Licensure by Endorsement

- a) Each applicant currently licensed in another jurisdiction who applies to the Department for a license to practice medicine in all of its branches on the basis of endorsement must cause to be submitted to the Department:

- 1) A fully completed application which is signed, on which all questions have been answered and all programs of medical education attended by the applicant have been identified, including dates of attendance;
- 2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;
- 3) An official transcript of the a course of instruction ~~prerequisite to professional training in a college, university or other institution of liberal arts or medical college.~~
- 4) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the ~~professional~~ degree which shall evidence that the applicant has met the minimum medical education requirements of the Act;
- 5) Individuals applying under Section 11(A)(2)(a)(i) of the Act shall submit certification on forms provided by the Department. ~~Evidence which shall include proof that the core clerkship rotations were completed at clinical teaching facilities owned, operated or formally affiliated with the medical college which conferred the degree or under contract in teaching facilities owned, operated or formally affiliated with another medical college in which the medical school which conferred the degree is located in accordance with Section 1285.20 of this Part;~~
- 6) Applicants who submit any document in a foreign language shall submit an original, notarized English translation;

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- 5) 7) For applicants to practice medicine in all of its branches, proof of postgraduate clinical training in the United States or Canada.
- 6) 8) A certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed stating:
 - A) The date of issuance of the applicant's license;
 - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
 - C) Name and location of the college, university, or other institution from which the applicant received his medical education, type of degree and date degree was conferred;
 - D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;
- 7) 9) A complete work history since graduation from medical school;
- 8) 10) The fee required by Section 21 of the Act.
- 9) 11) Each applicant for licensure to practice medicine in all of its branches pursuant to the provisions of Section 19 upon the basis of having passed a National Board of Medical Examiners examination prior to January 1, 1964, or having passed a National Board of Examiners for Osteopathic Physicians and Surgeons examination before June 1, 1973, or having passed the Licentiate of the Medical Council of Canada ("LMCC") before May 1, 1970, or having passed the Federation Licensing Examination (FLEX) prior to June 1, 1968, or a State Constructed Examination, shall, subject as hereinafter provided, pass an examination conducted by the Department or its designated testing service to test the clinical competence of such applicant ("clinical test"). The Department upon recommendation of the Medical Licensing Board has determined that the examination conducted under this Section shall be Component 2, of the Federation Licensing Examination (FLEX) or the Special Purpose Examination (SPEX) as determined by the Board.
- A) To be successful in Component 2 of the FLEX examination or the SPEX examination, applicants must receive a score of 75 or better. In the case of failure on three (3) attempts of the Component 2 examination, or SPEX Examination, or any combination thereof, the application for licensure on the basis of endorsement shall be denied. Such individuals may thereafter submit an application for licensure on the basis of examination and, if qualified, take the entire examination referenced in Section 1285.60(a)(1) (2) and (3) of this Part in accordance with the manner described therein.

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B) The Medical Licensing Board may, in its discretion and in individual cases where the applicable conditions of Section 19 of the Act have been satisfied, make a recommendation to the Director of the Department of Professional Regulation ("Director") for the waiver of the clinical examination requirement herein provided with respect to any such applicant for a license to practice medicine in all of its branches after full consideration of the quality of his medical education and clinical training or practical experience, including, but not limited to, whether he is Board Certified in a specialty, has achieved special honors or awards, has had articles published in recognized and reputable journals, has written or participated in the writing of textbooks in medicine and any other circumstance or attribute which the Medical Licensing Board accepts as evidence that such applicant has outstanding and proven ability in any branch of medicine.

A) ~~To be successful in Part III of the Written Clinical Competency examination, applicants must receive a score of 75 or better. In the case of failure on three (3) attempts of Part III of the written practical examination, the application for licensure on the basis of endorsement shall be denied. Such individuals may thereafter submit an application for licensure on the basis of examination and upon meeting the qualifications for licensure in Section 1280.70 of this Part, take the entire examination referenced in Section 1285.60(b)(4), (2) and (3) of this Part in accordance with the manner described therein.~~

6) The Medical Licensing Board may, in its discretion and in individual cases where the applicable conditions of Section 19 of the Act have been satisfied, make a recommendation to the Director for the waiver of Part III of the ~~written clinical competency~~ examination requirement herein provided with respect to any such applicant for a license to practice chiropractic medicine after full consideration of the quality of his chiropractic education and practical experience, including, but not limited to, whether he is Board Certified in a specialty, has achieved special honors or awards, has had articles published in recognized and reputable journals, has written or participated in the writing of textbooks in chiropractic and any other circumstance or attribute which the Medical Licensing Board accepts as evidence that such applicant has outstanding and proven ability in chiropractic.

b) Each applicant currently licensed in another jurisdiction who applies to the Department for a license in Illinois as a chiropractic physician by endorsement must cause to be sent to the Department:

1) A fully completed application which is signed, on which all questions have been answered, and all programs of chiropractic education attended by the applicant have been identified including dates of attendance;

2) An official transcript of a course of instruction prerequisite to professional training in a college, university or other institution.

3) An official transcript and copy of diploma or official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum chiropractic education requirements of the Act.

4) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act.

5) Successful completion of Part I, Part II and Part III of the ~~Written Clinical Competency~~ examination administered by the National Board of Chiropractic Examiners.

4) A certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed stating:

A) The date of issuance of the applicant's license;

B) The basis of licensure and a description of the examination by which the applicant was licensed, of any;

C) Name and location of the college, university, or other institution from which the applicant received his chiropractic education, type of degree and date degree was conferred;

D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;

8) A complete work history since graduation from medical chiropractic school;

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- 6) 2) The fee required by Section 21 of the Act.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.90 Temporary Licenses

- a) To allow for timely processing. Aan application for a Temporary License to pursue specialty/residency training shall ~~must~~ be filed, on forms provided by ~~in form and substance satisfactory to~~ the Department, at least 60 days prior to the commencement date of the training.

- b) Each application shall not be considered complete unless it is signed, all questions have been answered and it contains or is accompanied by:

- 1) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board.

- 2) An official transcript of the a courses of instruction ~~prerequisite to professional training~~ in a college, university or other institution ~~of liberal arts or medical college~~;

- 3) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum education requirements of the Act.

- 4) Individuals applying under Section 11(A)(2)(a)(i) of the Act shall submit certification on forms provided by the Department. ~~Evidence which shall include proof that the core clerkship rotations were completed at clinical teaching facilities owned, operated or formally affiliated with the medical college which conferred the degree or under contract in teaching facilities owned, operated or formally affiliated with another medical college which is officially recognized by the jurisdiction in which the medical school which conferred the degree is located in accordance with Section 1285.20 of this Part.~~

- 4) 5) Proof that the applicant will be ~~has been~~ accepted or appointed to a position in a specialty/residency program which is approved by the Department, pursuant to the provisions of Section 1285.40 and the number of the postgraduate year for which he has been accepted or appointed;

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- 5) 6) A statement identifying all medical education program attended, including dates of attendance;
- 6) 7) Applicants who submit any document in a foreign language shall submit an original notarized English translation.

- 7) 8) A complete work history since graduation from medical school; and

- 8) 9) The fee required by Section 21 of the Act.

- 10) A certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed stating:

- A) The date of issuance of the applicant's license;

- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;

- C) Name and location of the college, university, or other institution from which the applicant received his medical education, type of degree and date degree was conferred;

- D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;

- 9) 11) In addition to the requirements of this Section, ~~pre-1985-graduates~~ applicants who graduate more than five (5) years prior to application will be required to provide documentation of clinical skills as set forth in Section 1285.95 of this Part and Section 11(A)(2)(a)(i) of the Act.

- c) Written notice of the Department's final action on every application for a temporary license shall be given to the applicant and hospital designated therein. If such application is approved pursuant to Section 17 of the Act and this Section, the temporary license shall be delivered or mailed to the hospital and shall be kept in the care and custody of such hospital. Any person not licensed to practice medicine in all of its branches in the State of Illinois who is enrolled in a clinical ~~pursuing specialty/residency~~ training program shall ~~must~~ have had a Temporary License issued on his behalf to an approved program of training prior to the commencement of the training.

- d) Commencement of the specialty/residency training program prior to the issuance of a temporary license shall be construed as the unlicensed practice of medicine.

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- e) A Temporary License shall be issued for a maximum of three years, ~~subject to renewal as provided in this section.~~ In no event shall a Temporary License be issued for less than one year except as provided in subsection (i) below or for any purpose other than a post-graduate specialty/residency program required for licensure under the Act.
- f) Not more than one Temporary License shall be issued to any person for the same period of time.
- g) When a resident is dismissed or otherwise terminates his specialty/residency program, it shall be the responsibility of the staff of the program to notify the Department immediately and return the Temporary License to the Department. If the Temporary License has been lost or destroyed, the staff of the program shall submit a written explanation to the Department.
- h) A Temporary License may be transferred from one program to another only upon the return of the Temporary License and receipt by the Department of a new application which contains a work history and a certificate of acceptance that the resident will be ~~has been~~ accepted or appointed to a specialty/residency position in an approved program. Requests for transfers shall be filed with the Department at least 60-days prior to the commencement date of the new program.
- i) The Department shall allow a 14-day extension of the temporary license beyond the 3-year period without filing an extension application. In order to extend beyond the 14-day period, a new application shall be filed with the Department which contains:
- 1) a certificate of acceptance indicating that the resident has been accepted or appointed to a specialty/residency position in an approved program;
 - 2) a work history; and
 - 3) a letter from the residency program director advising why an extension is being requested.

- j) Temporary licenses may be extended ~~or renewed~~ only in the following documented situations:

- 1) serving full-time in the Armed Forces;
- 2) an incapacitating illness;
- 3) proof of continuance of a residency training program in order to meet the remedial requirements for licensure set forth in Section 1285.60(a)(4); or
- 4) proof of continuance of a residency training program.

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- k) The Department shall issue Limited Temporary Licenses for no more than six (6) months on behalf of individuals who apply, on forms provided by ~~it-form and substance satisfactory to the Department, and submit evidence that:~~
- 1) He is enrolled in a postgraduate clinical training program outside of the State of Illinois meeting the requirements of Section 1285.40;
 - 2) He has been accepted for a specific period of time to perform, under supervision, a portion of that program at a clinical training program approved pursuant to the provisions of Section 1285.40 in the State of Illinois due to the absence of adequate facilities in the other State;
 - 3) The approved clinical training program in this State has assumed full supervisory responsibility for the individual during the full period specified on his application.
 - 4) A Limited Temporary License may be extended or renewed only in the following documented situations:
 - A) serving full-time in the Armed Forces;
 - B) an incapacitating illness as documented by a currently licensed physician;
 - C) proof of continuance of a residency training program as documented by the residency training program director.
 - l) Any individual who participates in any portion of a specialty/residency program without a Temporary license issued by the Department shall be considered to be involved in the unlicensed practice of medicine.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.95 Clinical Skills Standards for ~~Prior to 1985~~ Graduates Applicants Having Graduated More Than Five (5) Years Prior to Application

Pursuant to Section 11(A)(3) of the Act, effective January 1, 1990, ~~As~~ individuals who graduated from a medical or osteopathic college officially recognized by the jurisdiction in which it is located for the purpose of receiving a license who graduated from said school more than five (5) years prior to the date of application ~~prior to January 1, 1995~~, in addition to meeting all of the requirements of the Act and this Part for licensure, shall submit documentation to the Department evidencing clinical activities since graduation from a medical or osteopathic college in order for the

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Medical Licensing Board to make a determination as to whether the applicant is eligible for temporary or permanent license. In determining continuing clinical skills the Board shall consider, but not be limited to, the following activities:

- a) Medical research which shall be human clinical research that is consistent with the requirements of the Federal Food and Drug Administration (21 CFR 50)(1988, no further amendments or additions included) and the Consumer Product Safety Commission (16 CFR 1028)(1988, no further amendments or additions included) or other equivalent medical research.
- b) Specialized training or education which shall be clinical training or clinical education such as, or equivalent to, the following:
 - 1) Clinical training which takes place in a residency training program in accordance with the requirements set forth in Section 1285.40 of this Part or the equivalent thereof (e.g., residency training in another state or jurisdiction).
 - 2) Clinical medical practice in the National Health Service or its equivalent.
 - 3) Continuing medical education (CME) recognized by the Accreditation Council on Continuing Medical Education (ACCME), the American Osteopathic Association (AOA) or continuing medical education in accordance with Section 1285.110 of this Part.
 - 4) Post-graduate education in basic or related medical sciences in any state or jurisdiction.
- c) Publication of original work in clinical medicine published in medical or scientific journals which are listed by the Cumulative Index Medicus (CIM).
- d) Clinical research or professional clinical medical practice in public health organizations (e.g., World Health Organization (WHO), Malaria Prevention programs, United Nations International Children's Emergency Fund (UNICEF) programs, both national and international).

e) Having been engaged in clinical research or clinical medical practice at a veterans, military, or other medical institution operated by the federal government.

f) Other professional or clinical medical activities such as, or equivalent to the following:

- 1) Presentation of papers or participation on panels as a faculty member at a program approved or recognized by the American Medical Association (AMA) or its affiliate, the American Osteopathic Association (AOA) or its affiliate, or a recognized specialty society or equivalent recognized by the Medical Community; or

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2) Experience obtained as a Visiting Professor in accordance with Section 18(A) of the Act.

- g) Clinical medical practice obtained in violation of the Act shall not be considered by the Board in determining continuing clinical skills for the purposes of this Section.
- h) Each applicant for temporary licensure, in accordance with this Section, shall submit a certificate of acceptance form signed by the Program Director of an approved residency training program, in accordance with Section 1285.40 of this Part, attesting that such applicant will be accepted for specialty/residency training, if, upon the evaluation of medical education and clinical skills by the Department, the applicant is found to be eligible for temporary licensure.
- i) In determining eligibility, the Board will consider any and all documentation of activities submitted by the applicant.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1285.120 Renewals

a) Every license issued under the Act shall expire on July 31, 1990, and every third year thereafter. The holder of a license may renew such license during the month preceding the expiration date thereof by paying the required fee stated in Section 21(e)(5) of the Act.

b) It is the responsibility of each licensee ~~registrant~~ to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the license in a timely manner. ~~Practice on a license which has expired is the unlicensed practice of medicine.~~

c) ~~Practicing or operating on a license which has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 22 of the Act.~~

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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- 1) The Heading of the Part: AID TO THE AGED, BLIND OR DISABLED
- 2) Code Citation: 89 Ill. Adm. Code 113

3) Section Number: Proposed Action:

113.125 Amendment

- 4) Statutory Authority: Sections 3-1.2, 3-2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 3-1.2, 3-2 and 12-13)

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements Section 5033 of OBRA 1990, regarding impairment-related work expenses for disabled clients. Specifically, this rulemaking adds to the list of recognized employment expenses "reasonable cost of items and services which are needed and used to enable a disabled person to work".

- 6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

- 8) Does this Proposed Amendment contain incorporations by reference? No

- 9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

113.261 Amendment April 19, 1991
(15 Ill. Reg. 5517)

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois

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- 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113
AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

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113.1	Description of the Assistance Program
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SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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113.9	Client Cooperation
113.10	Citizenship
113.20	Residence
113.30	Age
113.40	Blind
113.50	Disabled
113.60	Living Arrangement
113.70	Institutional Status
113.80	Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
113.100	Unearned Income
113.101	Budgeting Unearned Income
113.102	Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.103	Initial Receipt of Unearned Income
113.104	Termination of Unearned Income
113.105	Unearned Income In-Kind
113.106	Earmarked Income
113.107	Lump Sum Payments and Income Tax Refunds
113.108	Protected Income
113.109	Earned Income
113.110	Budgeting Earned Income
113.111	Protected Income
113.112	Earned Income
113.113	Budgeting Earned Income
113.114	Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.115	Initial Employment
113.116	Budgeting Earned Income For Contractual Employees

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Section	
113.117	Budgeting Earned Income For Non-contractual School Employees
113.118	Termination of Employment
113.120	Exempt Earned Income
113.125	Recognized Employment Expenses
113.130	Income From Work/Study/Training Programs
113.131	Earned Income From Self-Employment
113.132	Earned Income From Roomer and Boarder
113.133	Earned Income From Rental Property
113.134	Earned Income In-Kind
113.139	Payments from the Illinois Department of Children and Family Services
113.140	Assets
113.141	Exempt Assets
113.142	Asset Disregard
113.143	Deferral of Consideration of Assets
113.154	Property Transfers For Applications Filed Prior To October 1, 1989
113.155	Property Transfers For Applications Filed On Or After October 1, 1989
113.156	Court Ordered Child Support Payments of Parent/Step-Parent
113.157	Sponsors of Aliens
113.160	Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

Section	
113.245	Payment Levels for AABD
113.246	Personal Allowance
113.247	Personal Allowance Amounts
113.248	Shelter
113.249	Utilities and Heating Fuel
113.250	Laundry
113.251	Telephone
113.252	Transportation, Lunches, Special Fees
113.253	Allowances for Increase in SSI Benefits
113.254	Nursing Care or Personal Care in Home Not Subject to Licensing
113.255	Sheltered Care in a Licensed Group Care Facility
113.256	Shopping Allowance
113.257	Special Allowances for Blind and Partially Sighted (Blind Only)
113.258	Home Delivered Meals
113.259	AABD Fuel and Utility Allowances By Area
113.260	Sheltered Care Rates

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Section
113.261

Cases in Licensed Intermediate Care Facilities,
Licensed Skilled Nursing Facilities, DMHDD
Facilities and All Other Licensed Medical Facilities

SUBPART E: OTHER PROVISIONS

Section

113.300 Persons Who May Be Included In the Assistance Unit
113.301 Grandfathered Cases
113.302 Interim Assistance
113.303 Special Needs Authorizations
113.304 Retrospective Budgeting
113.305 Budgeting Schedule
113.306 Purchase and Repair of Household Furniture
113.307 Property Repairs and Maintenance
113.308 Excess Shelter Allowance
113.320 Redetermination of Eligibility
113.500 Attorney's Fees for SSI Appellants

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective

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September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective June 27, 1984; amended at 8 Ill. Reg. 11414, effective July 16, 1984; amended (by sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335,

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effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 13 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291,

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effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.125 Recognized Employment Expenses

a) The following recognized expenses of employment shall be exempt from consideration.

1) Withholding taxes (Federal and State)

2) Social Security tax

3) Transportation at most reasonable rate
If the individual's own car is the most economical means of transportation 19 cents per mile shall be allowed as transportation expense

4) Lunch supplementation:

A) If carried from home, 15 cents per working day to a maximum of \$3.00 per month

B) If purchased at work, 45 cents per working day to a maximum of \$9.00 per month

5) Special tools and uniforms required by employment

*6) Union dues

*7) Group life insurance premiums

*8) Group health insurance premiums

*9) Retirement plan withholding

10) Reasonable cost of items and services which are needed and used to enable a disabled person to work

*Agency Note: Only if mandatory as a condition of employment

b) 1) Expenses of child care shall be deducted from

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Section 113.125 Recognized Employment Expenses (Cont'd)

income up to a maximum of \$160 per child or \$128 per child if the client is not full-time employed or employed throughout the month as defined below.

2) The child care deduction is not allowed when the child care provider is a responsible relative of the child receiving care.

3) Full-time employment means the individual is employed for at least 100 hours during the month. Employed throughout the month means the individual is employed at least one-half of the days of the month.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) The Heading of the Part: FOOD STAMPS

2) Code Citation: 89 Ill. Adm. Code 121

3) Section Numbers: Proposed Action:

121.63

121.91

Amendment

Amendment

4) Statutory Authority:

89 Ill. Adm. Code 121.63

Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 12-4.4 thru 12-4.6 and 12-13)

89 Ill. Adm. Code 121.91

Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 12-4.4 thru 12-4.6 and 12-13)

5) A Complete Description of the Subjects and Issues Involved:

89 Ill. Adm. Code 121.63

This rulemaking increases the State Utility Standard from \$170.00 to \$181.00. The 1989 increases in utility costs warrant the increase in the standard. Presently, the rule mandates allowing a \$170.00 per month limitation for utility expenses in the determination of the adjusted net monthly food stamp income. As a result of the increase in the State Utility Standard, some food stamp households may receive an increase in food stamp benefits.

89 Ill. Adm. Code 121.91

This rulemaking implements provisions of the Hunger Prevention Act of 1988 (P.L. 100-435). This rulemaking deletes utility expenses and medical expenses of a qualifying member from the items for which monthly reporting households are required to provide verification each month. Households are now required to provide verification of utility expenses only if they have changed and total medical expenses of a qualifying member are changed by \$25 or more. If the household does not provide the required verification of utility expenses, then utility expenses, except for the State Telephone Standard, are not

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allowed when determining eligibility and level of benefits. If the household does not provide verification of medical expenses, no deduction is allowed. Presently the rule does not allow these provisions. Verification of stopped income is also being deleted.

- 6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 8) Do these Proposed Amendments contain incorporations by reference? No
- 9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

- | | | |
|--------|-----------|--|
| 121.31 | Amendment | April 19, 1991
(15 Ill. Reg. 5525) |
| 121.58 | Amendment | April 19, 1991
(15 Ill. Reg. 5525) |

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.
- 12) Initial Regulatory Flexibility Analysis: Neither of the above rulemakings will have an effect on small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

- | | |
|---------|--|
| Section | |
| 121.1 | Application for Assistance |
| 121.2 | Time Limitations on the Disposition of an Application |
| 121.3 | Approval of an Application and Initial Authorization of Assistance |
| 121.4 | Denial of an Application |
| 121.5 | Client Cooperation |
| 121.6 | Emergency Assistance |
| 121.7 | Expedited Services |
| 121.10 | Interviews |

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

- | | |
|---------|--|
| Section | |
| 121.19 | Ending a Voluntary Quit Disqualification |
| 121.20 | Citizenship |
| 121.21 | Residence |
| 121.22 | Social Security Numbers |
| 121.23 | Work Registration/Participation Requirements |
| 121.24 | Individuals Exempt From Work Registration Requirements |
| 121.25 | Failure to Comply |
| 121.26 | Period of Disqualification |
| 121.27 | Voluntary Job Quit |
| 121.28 | Good Cause for Voluntary Job Quit |
| 121.29 | Exemptions from Voluntary Quit Rule |

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

- | | |
|---------|--|
| Section | |
| 121.30 | Unearned Income |
| 121.31 | Exempt Unearned Income |
| 121.32 | Education Benefits |
| 121.33 | Unearned Income In-Kind |
| 121.34 | Lump Sum Payments and Income Tax Refunds |
| 121.40 | Earned Income |
| 121.41 | Budgeting Earned Income |
| 121.50 | Exempt Earned Income |
| 121.51 | Income from Work/Study/Training Programs |
| 121.52 | Earned Income from Roomer and Boarder |

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Section
121.53
121.54
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121.57
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121.59

Income From Rental Property
Earned Income In-Kind
Sponsors of Aliens
Assets
Exempt Assets
Asset Disregards

SUBPART D: ELIGIBILITY STANDARDS

Section
121.60
121.61
121.62
121.63
121.64

Net Monthly Income Eligibility Standards
Gross Monthly Income Eligibility Standards
Income Which Must Be Annualized
Deductions From Monthly Income
Coupon Allotment

SUBPART E: HOUSEHOLD CONCEPT

Section
121.70
121.71
121.72
121.73
121.74
121.75

Persons Who May Be Included in the Assistance Unit
Living Arrangement
Nonhousehold Members
Ineligible Household Members
Strikers
Students

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section
121.80
121.81
121.82
121.83
121.84
121.85
121.90
121.91
121.92
121.93
121.94
121.95
121.96
121.97
121.98

Fraud Disqualification (Renumbered)
Initiation of Administrative Fraud Hearing (Repealed)
Definition of Fraud (Renumbered)
Notification To Applicant Households (Renumbered)
Disqualification Upon Finding of Fraud (Renumbered)
Court Imposed Disqualification (Renumbered)
Monthly Reporting and Retrospective Budgeting
Monthly Reporting
Retrospective Budgeting
Direct Mail Issuance of Food Stamp Coupons
Replacement of Food Stamp Coupons or ATP Documents
Restoration of Lost Benefits
Uses For Food Coupons
Supplemental Payments
Food Stamp Simplified Application Demonstration
Project (Repealed)
Recertification of Eligibility
Residents of Shelters for Battered Women and their Children

121.120
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Section
121.135
121.140

Incorporation By Reference
Small Group Living Arrangement Facilities and
Drug/Alcoholic Treatment Centers

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section
121.150
121.151
121.152
121.153
121.154

Definition of Intentional Violations of the Program
Penalties for Intentional Violations of the Program
Notification To Applicant Households
Disqualification Upon Finding of Intentional
Violation of the Program
Court Imposed Disqualification

SUBPART H: CLAIMS FOR OVERISSUANCES OF FOOD STAMP BENEFITS

Section
121.200
121.201

Types of Claims (Recodified)
Establishing a Claim for Intentional Violation of
the Program (Recodified)

121.202
121.203
121.204

Establishing a Claim for Unintentional Household
Errors and Administrative Errors (Recodified)
Collecting Claim Against Households (Recodified)
Failure to Respond to Initial Demand Letter
(Recodified)

121.205
121.206

Methods of Repayment of Food Stamp Claims
(Recodified)

Determination of Monthly Allotment Reductions
(Recodified)

121.207

Failure to Make Payment in Accordance with Repayment
Schedule (Recodified)

121.208

Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and
authorized by Section 12-13 of the Illinois Public Aid Code
(Ill. Rev. Stat. 1989, ch. 23, pars. 12-4.4 through 12-4.6 and
12-3)

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5,
p. 875 effective February 2, 1979; amended at 3 Ill. Reg. 31,
p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p.
399 effective August 18, 1979; amended at 3 Ill. Reg. 41, p.
165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p.
230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p.
173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p.
36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p.
96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p.
1; effective November 15, 1979; peremptory amendment at 4 Ill.

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Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amended at 4 Ill. Reg. 29, p. 294, effective July 8, 1980 for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983, peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg.

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7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988, amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. —, effective —.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART D: ELIGIBILITY STANDARDS

Section 121.63 Deductions From Monthly Income

The following deductions shall be allowed in the determination of the adjusted net monthly food stamp income:

- a) Earned income Deduction
Eighty percent of total gross earned income is considered. (See 89 Ill. Adm. Code 121.40 through 121.54 for a description of earned income.)
- b) Standard Deduction
One hundred and sixteen dollars (\$116.00) per household per month.
- c) Dependent Care Deduction
 - 1) Payments for the care of a child or other dependent when necessary for a household member to accept or continue employment or to seek employment in compliance with the job search criteria (contained in 89 Ill. Adm. Code 112.70 through 112.73) or to attend training or pursue education which is preparatory for employment.
 - 2) The amount of the deduction is to be determined by the actual costs for care and is not to exceed \$160.00 per month for each dependent household member.

d) Shelter Costs Deduction

- 1) Shelter costs that exceed 50% of the household's total income after the allowable deductions in subsections (a), (b), and (c) have been made. The shelter deduction shall not exceed \$186.00.
- 2) If the household contains a member who is elderly or disabled as defined at 7 CFR 271.2 (1987) (1990) and Section 121.61 "Gross Monthly Income Eligibility Standards", there is no limit on the amount of excess shelter deduction.
- 3) Shelter costs include only the following:
 - A) Continuing charges for the shelter occupied

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Section 121.63

Deductions From Monthly Income (Cont'd)

- B) by the household (rent, mortgage, and other charges leading to the ownership of the shelter, including interest on such charges).
- C) Property taxes, State and local assessments and insurance on the structure itself.
- C) Utility Costs
 - i) Include the cost of heating, and cooking fuel, air conditioning, electricity, water, sewerage; garbage and trash collection fees; basic service fee for one telephone (including tax on the basic fee) of \$18.00; and fees charged by the utility provider for initial installation. Utility deposits are not utility costs.
 - ii) Those households which are billed for heating or air conditioning, or both, separately from their rent or mortgage may claim the standard utility allowance of ~~\$170.00~~ \$181.00. Households living in rental housing who are billed on a regular basis by a landlord for heating and/or air conditioning costs may use the standard utility allowance if utility usage is determined through a meter or otherwise is verifiable or if the charge for heating and/or air conditioning is separate and identifiable. If the standard utility allowance is used, then no other utility costs may be claimed. If actual utility costs exceed the standard utility allowance, then actual, verified costs may be claimed, except that if a separately-billed phone expense is claimed only the basic telephone allowance of \$18.00 per month is allowed. The client that maintains the same residence may not switch between the standard utility allowance and actual utility costs for a period of twelve months from the time of initial

DEPARTMENT OF PUBLIC AID

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Section 121.63

Deductions From Monthly Income (Cont'd)

certification and no more frequently than once every twelve (12) months thereafter.

iii) However, during the heating or cooling season, a household that is billed less often than monthly for its heating and/or air conditioning costs but is otherwise eligible to use the standard utility allowance may continue to use the standard utility allowance between billing months.

iv) Households in public housing or privately owned rental units which receive a bill for over-usage are not entitled to use the standard utility allowance. When households (as defined at 7 CFR 273.1(a)(1987)(1990) live together, the standard utility allowance shall be divided equally among the households which contribute toward the utility costs whether or not each household participates in the program.

v) Households whose heat and/or air conditioning expense is covered by indirect energy assistance payments (Illinois Home Energy Assistance Program [47 Ill. Adm. Code 100]) shall be entitled to the standard utility allowance (7 CFR 273.9 and 273.10(d)(6) (1987)(1990)). The provisions of subsection (ii) above, are applicable to households whose heating and/or air conditioning expense(s) are covered by indirect energy assistance payments.

D) Those households which are not billed separately for either heat or air conditioning are not entitled to claim the standard utility allowance but may claim the actual utility amounts for which they are billed separately, subject to the \$18.00 per month limitation for telephone expense.

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Section 121.63

Deductions From Monthly Income (Cont'd)

4) Shelter Costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if, the household intends to return to the home; the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes; and the home is not leased or rented during the absence of the household.

5) Charges for Repair of the home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.

e) Excess Medical Deductions

A deduction for excess medical expenses for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (1987)(1990) and Section 121.6) "Gross Monthly Income Eligibility Standards". The medical expenses incurred by the qualifying household member which are over \$35 will be deducted if the expenses will not be reimbursed by insurance or a third party.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section 121.91 Monthly Reporting

a) Individuals who receive income from a sheltered workshop and individuals who receive public assistance benefits under the Aid to the Aged, Blind or Disabled Program as either an Aged, Blind, or Disabled case are excluded from monthly reporting.

a)b) The following Food Stamp households are required to report monthly:

1) all households having at least one member receiving earned income (See Section 121.40(b));

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NOTICE OF PROPOSED AMENDMENT

Section 121.91 Monthly Reporting (Cont'd)

- 2) households having at least one member receiving Unemployment Insurance Benefits (UI);
- 3) households having at least one member who has lost employment within the last three (3) months.
- b)c) Migrant households in the migrant job stream do not have to report monthly.

e)d) The report shall include

- 1) income, allowable deductions, household composition and other circumstances relevant to the amount of the food stamp allotment, and
- 2) changes in income, allowable deductions, resources or other relevant circumstances affecting eligibility which the household expects to occur in the current month or future months or which occurred in the budget month.

e)el) With monthly reporting, the household is required to provide verification of the following information each month:

- 1) gross earned income including the less-of-earned-income (e.g. pay stubs, ex-employer's written statement of discharge or layoff),
- 2) utility expenses when use of actual expenses is requested by the household (e.g. utility bills),
- 3) medical expenses for a qualifying member (e.g. medical bills),
- 4)2) sponsored aliens must report the income and resources of their sponsor and the sponsor's spouse (the failure to so report will result in one of the actions specified in subsection (f)(4)), and
- 5)3) questionable information (information is considered questionable if information on the Monthly Report does not agree with statements of the recipient, other information on the Monthly Report or other information received by the local office).

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Section 121.91 Monthly Reporting (Cont'd)

e)f) The household is required to provide verification of the following information each month if the information has changed since the last report:

- 1) gross unearned income (e.g. award letters or written statements from the income source),
- 2) alien status/citizenship (e.g. alien registration cards or birth certificates), and
- 3) social security number (e.g. Social Security cards),
- 4) utility expenses when actual utilities are used to determine benefits and expenses have changed, and
- 5) total medical expenses of a qualifying member, if changed by more than \$25.

e)g) If the household does not provide the required verifications, the following actions are taken:

- 1) earned income - the Monthly Report is considered incomplete and Food Stamp benefits are suspended;
- 2) utility expenses when actual utilities are used - no utility deduction is allowed when determining eligibility and coupon allotment,
- 3) medical expenses - no medical deduction is allowed when determining eligibility and coupon allotment,
- 2) utility expenses - when actual utilities are used the amount from the previous month is allowed if no change is reported. Utility expenses are not allowed when determining eligibility and the level of benefits if a change is reported and verification is not provided. However, if the household incurs a telephone expense, the Department will allow the State Telephone Standard (see Section 121.63). Submittal of a monthly bill is not required.
- 3) medical expenses - the Department will allow the amount from the previous month if a change of

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Section 121.91 Monthly Reporting (Cont'd)

more than \$25 is not reported. If a change of more than \$25 is reported and verification is not provided, a deduction is not allowed.

4) all other required verifications:

- A) benefits are decreased if the unverified reported change results in a decrease; or
- B) if benefits would increase as a result of the unverified reported change then no action is taken.

g)h) See Section 121.63(e) for definition of qualifying member.

h)i) All Food Stamp households which must report monthly shall have benefits calculated by considering income and attendant circumstances on a retrospective basis.

i)j) The Monthly Report must be received or postmarked by the fifth (5th) day after the fiscal month following the budget month. If an eligible household which has been terminated for failure to file a complete report files a complete report after the final deadline, but before the end of the corresponding payment month, the household shall be reinstated, if determined eligible. (See 89 Ill. Adm. Code 101.20 for a definition of "fiscal month".)

j)k) At recertification the household must complete an Addendum to the monthly report. This Addendum along with the monthly report form is the application for recertification.

k)l) In lieu of a monthly report, General Assistance (GA) recipients in the City of Chicago who are Food Stamp Heads of Households must comply with a review of their food stamp eligibility which will occur in conjunction with any redetermination of General Assistance. (See 89 Ill. Adm. Code 114.420). The review will cover those elements specified in subsection (c), above. Verifications of eligibility factors will be required as specified in (d), above. This review is in

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Section 121.91 Monthly Reporting (Cont'd)

addition to regular recertification which will occur once every 12 months.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) The Heading of the Part: MEDICAL ASSISTANCE PROGRAMS2) Code Citation: 89 Ill. Adm. Code 1203) Section Number: Proposed Action:120.370
Amendment4) Statutory Authority: Sections 5-4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4 and 12-13)5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements Section 5033 of OBRA 1990, regarding impairment-related work expenses for disabled clients. Specifically, this rulemaking adds to the list of recognized employment expenses "reasonable cost of items and services which are needed and used to enable a disabled person to work."6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐8) Does this Proposed Amendment contain incorporations by reference? No9) Are there any other Proposed Amendments pending on this Part? YesSection Numbers Proposed Action Illinois Register Citation120.11
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.12
Amendment
April 26, 1991
(15 Ill. Reg. 6089)120.31
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.60
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.64
Amendment
April 19, 1991
(15 Ill. Reg. 5551)Section Numbers Proposed Action Illinois Register Citation120.65
New Section
February 22, 1991
(15 Ill. Reg. 2908)120.208
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.235
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.281
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.319
Amendment
January 25, 1991
(15 Ill. Reg. 833)120.320
Amendment
January 25, 1991
(15 Ill. Reg. 833)120.321
Amendment
January 25, 1991
(15 Ill. Reg. 833)120.322
Amendment
January 25, 1991
(15 Ill. Reg. 833)120.323
Amendment
January 25, 1991
(15 Ill. Reg. 833)120.335
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.390
Amendment
April 19, 1991
(15 Ill. Reg. 5551)120.391
Amendment
April 19, 1991
(15 Ill. Reg. 5551)10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100

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South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10
120.11

Eligibility For Medical Assistance
Eligibility For Medical Assistance For Pregnant Women and Children Under Age Six Who Do Not Qualify As Mandatory Categorically Needy

120.20
120.30
120.31
120.40
120.50

MANG(AABD) Income Standard
MANG(C) Income Standard
MANG(P) Income Standard
Exceptions To Use Of MANG Income Standard
AMI Income Standard

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Children Under Age Six Who Do Not Qualify As Mandatory Categorically Needy

120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG(AABD) and All Other Licensed Medical Facilities

120.62

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643

120.63

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings

120.64

Pregnant Women and Children Under Age Six Years Who Do Not Qualify As Mandatory Categorically Needy

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SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

Section
120.70 Supplementary Medical Insurance Benefits, Buy-In
 Program
120.72 Eligibility for Medicare Cost Sharing as a Qualified
 Medicare Beneficiary (QMB)
120.74 Qualified Medicare Beneficiary (QMB) Income Standard
120.76 Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80 Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90 Migrant Medical Program
120.91 Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section
120.208 Client Cooperation
120.210 Citizenship
120.211 Residence
120.212 Age
120.215 Relationship
120.216 Living Arrangement
120.217 Supplemental Payments
120.218 Institutional Status
120.224 Foster Care Program
120.225 Social Security Numbers
120.230 Unearned Income
120.235 Exempt Unearned Income
120.236 Education Benefits
120.240 Unearned Income In-Kind
120.245 Earmarked Income
120.250 Lump Sum Payments and Income Tax Refunds
120.255 Protected Income
120.260 Earned Income
120.261 Budgeting Earned Income
120.262 Exempt Earned Income
120.270 Recognized Employment Expenses
120.271 Income From Work/Study/Training Program
120.272 Earned Income From Self-Employment
120.273 Earned Income From Roomer and Boarder
120.275 Earned Income In-Kind

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Section
120.276 Payments from the Illinois Department of Children
 and Family Services
120.280 Assets
120.281 Exempt Assets
120.282 Asset Disregards
120.283 Deferral of Consideration of Assets
120.284 Spend-down of Assets (AMI)
120.285 Property Transfers
120.290 Persons Who May Be Included in the Assistance Unit
120.295 Payment Levels for AMI

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section
120.308 Client Cooperation
120.309 Caretaker Relative
120.310 Citizenship
120.311 Residence
120.312 Age
120.313 Blind
120.314 Disabled
120.315 Relationship
120.316 Living Arrangements
120.317 Supplemental Payments
120.318 Institutional Status
120.319 Assignment of Rights to Medical Support and
 Collection of Payment
120.320 Cooperation in Establishing Paternity and Obtaining
 Medical Support
120.321 Good Cause for Failure to Cooperate in Establishing
 Paternity and Obtaining Medical Support
120.322 Proof of Good Cause for Failure to Cooperate in
 Establishing Paternity and Obtaining Medical Support
120.323 Suspension of Paternity Establishment and Obtaining
 Medical Support Upon Finding Good Cause
120.324 Foster Care Program
120.325 Social Security Numbers
120.330 Unearned Income
120.332 Budgeting Unearned Income
120.335 Exempt Unearned Income
120.336 Education Benefits
120.338 Incentive Allowance
120.340 Unearned Income In-Kind
120.342 Court Ordered Child Support Payments of Parent/Step-
 Parent
120.345 Earmarked Income
120.346 Medicaid Qualifying Trusts
120.350 Lump Sum Payments and Income Tax Refunds

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Section
 120.355 Protected Income
 120.360 Earned Income
 120.361 Budgeting Earned Income
 120.362 Exempt Earned Income
 120.364 Earned Income Exemption
 120.366 Exclusion From Earned Income Exemption
 120.370 Recognized Employment Expenses
 120.371 Income From Work/Study/Training Programs
 120.372 Earned Income From Self-Employment
 120.373 Earned Income From Roomer and Boarder
 120.375 Earned Income In Kind
 120.376 Payments from the Illinois Department of Children and Family Services
 120.379 Assessment of Assets
 120.380 Assets
 120.381 Exempt Assets
 120.382 Asset Disregard
 120.383 Deferral of Consideration of Assets
 120.384 Spend-down of Assets (MANG)
 120.385 Property Transfers for Applications Filed Prior to October 1, 1989
 120.386 Property Transfers Effective for Applications Filed on or After October 1, 1989
 120.390 Persons Who May Be Included In the Assistance Unit
 120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Under Age Six
 120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
 120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project.
 120.395 Payment Levels for MANG
 120.399 Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41,

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effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 4 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142,

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effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12

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Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section 120.370 Recognized Employment Expenses

a) MANG(AABD)

The following recognized expenses of employment shall be exempt from consideration for MANG(AABD):

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Section 120.370 Recognized Employment Expenses (Cont'd)

- 1) Withholding taxes (Federal and State)
- 2) Social Security tax
- 3) Transportation at most reasonable rate. If the individual's own car is the most economical means of transportation 19 cents per mile shall be allowed as transportation expense
- 4) Lunch supplementation:
 - A) If carried from home, 15 cents per working day to a maximum of \$3.00 per month
 - B) If purchased at work, 45 cents per working day to a maximum of \$9.00 per month
- 5) Special tools and uniforms required by employment
- *6) Union dues
- *7) Group life insurance premiums
- *8) Group health insurance premiums
- *9) Retirement plan withholding

10) Reasonable cost of items and services which are needed and used to enable a disabled person to work

*Agency Note: Only if mandatory as a condition of employment

b) MANG(C)

- 1) For employment expenses, \$90.00 shall then be deducted from the gross earned income of each employed individual.
- 2) For earnings from self-employment and rental property, an amount equal to the expenses directly attributable to producing goods or services or an amount equal to the expenses of rental shall also be deducted from income.

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Section 120.370 Recognized Employment Expenses (Cont'd)

- 3) The employment expense allowance is not available to an individual for any month in the following situations:
 - A) The individual terminated employment or reduced earned income without good cause within the period of 30 days preceding such month, or
 - B) The individual refused without good cause, within the period of 30 days preceding such month, to accept employment in which the individual was able to engage and which has been determined to be a suitable, available offer of employment, or
 - C) The individual fails without good cause to report income in a timely manner, or
 - D) The individual voluntarily requests AFDC assistance to be terminated to avoid receiving the 30 + 1/3 exemption for four consecutive months. (See Section 120.362 through 120.365).

4) Child Care

- A) Expenses of child care shall be deducted from income up to a maximum of \$200.00 per child for each child under the age of two (2) and \$175.00 for each child age two (2) and over.
- B) The child care deduction is not allowed when the child care provider is a responsible relative (see 89 Ill. Adm. Code 103.10(b)) of the child receiving care.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Numbers: Proposed Action:

140.11 Amendment
140.646 Amendment

4) Statutory Authority:

89 Ill. Adm. Code 140.11

Sections 5-5 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5 et seq. and 12-13)

89 Ill. Adm. Code 140.646

Sections 5-5 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved:

89 Ill. Adm. Code 140.11

This rulemaking provides that nursing home provider agreements are automatically assigned to new owners or lessees when facilities are sold or leased, as required by federal regulations (42 C.F.R. 442.14).

89 Ill. Adm. Code 140.646

This rulemaking provides for actions that will be imposed on nursing facilities for failure to timely pass through payments to Developmental Training Agencies.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

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NOTICE OF PROPOSED AMENDMENTS

Section Numbers Proposed Action Illinois Register Citation

140.3 Amendment April 19, 1991
(15 Ill. Reg. 5585)140.7 Amendment April 19, 1991
(15 Ill. Reg. 5585)140.16 Amendment January 25, 1991
(15 Ill. Reg. 847)140.17 Amendment November 30, 1990
(14 Ill. Reg. 18982)140.71 Amendment December 21, 1990
(14 Ill. Reg. 20170)140.413 Amendment January 18, 1991
(15 Ill. Reg. 406)140.420 Amendment February 1, 1991
(15 Ill. Reg. 1414)140.421 Amendment February 1, 1991
(15 Ill. Reg. 1414)140.460 Amendment April 5, 1991
(15 Ill. Reg. 4903)140.461 Amendment April 5, 1991
(15 Ill. Reg. 4903)140.462 Amendment April 5, 1991
(15 Ill. Reg. 4903)140.463 Amendment April 5, 1991
(15 Ill. Reg. 4903)140.465 Repealed April 5, 1991
(15 Ill. Reg. 4903)140.475 Amendment January 25, 1991
(15 Ill. Reg. 847)140.490 Amendment December 7, 1990
(14 Ill. Reg. 19132)140.850 New Section December 14, 1990
(14 Ill. Reg. 19592)

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Section Numbers	Proposed Action	Illinois Register Citation
140.855	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.860	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.865	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.870	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.875	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.880	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.885	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.890	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.895	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140. Table D	Amendment	February 1, 1991 (15 Ill. Reg. 1414)
140. Table K	Amendment	December 14, 1990 (14 Ill. Reg. 19592)
140. Table L	Amendment	December 14, 1990 (14 Ill. Reg. 19592)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois

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62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

89 Ill. Adm. Code 140.11

- A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 25, 1991.
- B) Types of small businesses affected: Medical Providers.
- C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.
- D) Types of professional skills necessary for compliance: No new skills required.

89 Ill. Adm. Code 140.646

- A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 25, 1991.
- B) Types of small businesses affected: Medical Providers.
- C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.
- D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
140.2 Medical Assistance Programs
140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy
140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5 Covered Medical Services Under GA and AMI
140.6 Medical Services Not Covered
140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Six
140.8 Medical Assistance For Qualified Severely Impaired Individuals
140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section

- 140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

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- 140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring Submittal of Claims
140.20 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.21 Magnetic Tape Billings
140.22 Payment of Claims
140.23 Payment Procedures
140.24 Overpayment or Underpayment of Claims
140.25 Payment to Factors Prohibited
140.26 Assignment of Vendor Payments
140.27 Record Requirements for Medical Providers
140.28 Audits
140.30 False Reporting and Other Fraudulent Activities
140.35 Prior Approval for Medical Services or Items
140.40 Prior Approval in Cases of Emergency
140.41 Limitation on Prior Approval
140.42 Post Approval for items or Services When Prior Approval Cannot Be Obtained
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140.71 Drug Manual (Recodified)
140.72 Drug Manual (Recodified)
140.73 Drug Manual Updates (Recodified)

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- 140.94 Hospital Services (Recodified)
140.95 Participation (Recodified)
140.96 General Requirements (Recodified)
140.97 Special Requirements (Recodified)
140.98 Covered Hospital Services (Recodified)
140.99 Hospital Services Not Covered (Recodified)
140.100 Limitation On Hospital Services (Recodified)
140.101 Transplants (Recodified)
140.102 Heart Transplants (Recodified)
140.103 Liver Transplants (Recodified)
140.104 Bone Marrow Transplants (Recodified)
140.110 Disproportionate Share Hospital Adjustments (Recodified)
140.116 Payment for Inpatient Services for GA (Recodified)
140.117 Hospital Outpatient and Clinic Services (Recodified)
140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201 Payment for Hospital Services After June 30, 1982 (Repealed)

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	Payment for Pre-operative Days and Services Which
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140.372	Review Procedure (Recodified)
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AUTHORITY: Implementing Article III of the Illinois Health
Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par.
6503-1 et seq.) and implementing and authorized by Articles
III, IV, V, VI, VII and Section 12-13 of the Illinois Public
Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1
et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10,
1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374,
effective July 6, 1982; emergency amendment at 6 Ill. Reg.
8508, effective July 6, 1982, for a maximum of 150 days;
amended at 7 Ill. Reg. 681, effective December 30, 1982;
amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at
7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill.
Reg. 8271, effective July 5, 1983; emergency amendment at 7
Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150
days; amended at 7 Ill. Reg. 8540, effective July 15, 1983;
amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended
at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory
amendment at 7 Ill. Reg. 15047, effective October 31, 1983;
amended at 7 Ill. Reg. 17358, effective December 21, 1983;
amended at 8 Ill. Reg. 254, effective December 21, 1983;
emergency amendment at 8 Ill. Reg. 580, effective January 1,
1984, for a maximum of 150 days; recodified at 8 Ill. Reg.
2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984;

amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended
at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8
Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg.
7258, effective May 16, 1984; emergency amendment at 8 Ill.
Reg. 7910, effective May 22, 1984, for a maximum of 150 days;
amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at
8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment
at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of
150 days; amended at 8 Ill. Reg. 13343, effective July 17,
1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984;
Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141
at 8 Ill. Reg. 16354; amended (by adding sections being
codified with no substantive change) at 8 Ill. Reg. 17899;
peremptory amendment at 8 Ill. Reg. 18151, effective September
18, 1984; amended at 8 Ill. Reg. 21629, effective October 19,
1984; peremptory amendment at 8 Ill. Reg. 21677, effective
October 24, 1984; amended at 8 Ill. Reg. 22097, effective
October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155,
effective October 29, 1984; amended at 8 Ill. Reg. 23218,
effective November 20, 1984; emergency amendment at 8 Ill. Reg.
23721, effective November 21, 1984, for a maximum of 150 days;
amended at 8 Ill. Reg. 25067, effective December 19, 1984;
emergency amendment at 9 Ill. Reg. 407, effective January 1,
1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697,
effective February 22, 1985; amended at 9 Ill. Reg. 6235,
effective April 19, 1985; amended at 9 Ill. Reg. 8677,
effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective
June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26,
1985; emergency amendment at 9 Ill. Reg. 11403, effective June
27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg.
11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000,
effective July 24, 1985; amended at 9 Ill. Reg. 12306,
effective August 5, 1985; amended at 9 Ill. Reg. 13998,
effective September 3, 1985; amended at 9 Ill. Reg. 14684,
effective September 13, 1985; amended at 9 Ill. Reg. 15503,
effective October 4, 1985; amended at 9 Ill. Reg. 16312,
effective October 11, 1985; amended at 9 Ill. Reg. 19138,
effective December 2, 1985; amended at 9 Ill. Reg. 19737,
effective December 9, 1985; amended at 10 Ill. Reg. 238,
effective December 27, 1985; emergency amendment at 10 Ill.
Reg. 799, effective January 1, 1986, for a maximum of 150 days;
amended at 10 Ill. Reg. 672, effective January 6, 1986; amended
at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10
Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill.
Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg.
7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128,
effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912,
effective May 13, 1986, for a maximum of 150 days; amended at
10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill.

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Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 12, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Reg. 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17879, effective October 5, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg.

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125, effective January 1, 1989; amended at 13 ILL. Reg. 2475, effective February 14, 1989; amended at 13 ILL. Reg. 3069, effective February 28, 1989; amended at 13 ILL. Reg. 3351, effective March 6, 1989; amended at 13 ILL. Reg. 3917, effective March 17, 1989; amended at 13 ILL. Reg. 5115, effective April 3, 1989; amended at 13 ILL. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 reclassified to 89 ILL Adm. Code 146.5 thru 146.225 at 13 ILL. Reg. 7040; amended at 13 ILL. Reg. 7025, effective April 24, 1989; amended at 13 ILL. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 reclassified to 89 ILL. Adm. Code 148.10 thru 148.390 at 13 ILL. Reg. 9572; emergency amendment at 13 ILL. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 ILL. Reg. 11516, effective July 3, 1989; amended at 13 ILL. Reg. 12119, effective July 7, 1989; Section 140.110 reclassified to 89 ILL. Adm. Code 148.120 at 13 ILL. Reg. 12118; amended at 13 ILL. Reg. 12562, effective August 31, 1989; emergency amendment at 13 ILL. Reg. 14391, effective August 31, 1989; amended at 13 ILL. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 ILL. Reg. 16992, effective October 16, 1989; amended at 14 ILL. Reg. 190, effective December 21, 1989; amended at 14 ILL. Reg. 2564, effective February 9, 1990; emergency amendment at 14 ILL. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 ILL. Reg. 4543, effective March 12, 1990; emergency amendment at 14 ILL. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 ILL. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 1, 1990; emergency amendment at 14 ILL. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 ILL. Reg. 7141, effective April 27, 1990; emergency amendment at 14 ILL. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 ILL. 10062, effective June 12, 1990; amended at 14 ILL. Reg. 10409, effective June 19, 1990; emergency amendment at 14 ILL. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 ILL. Reg. 13262, effective August 6, 1990; emergency amendment at 14 ILL. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 ILL. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 ILL. Reg. 14826, effective August 31, 1990; amended at 14 ILL. Reg. 15366, effective September 12, 1990; amended at 14 ILL. Reg. 15981, effective September 21, 1990; amended at 14 ILL. Reg. 17279, effective October 12, 1990; amended at 14 ILL. Reg. 18057, effective October 22, 1990; amended at 14 ILL. Reg. 18508, effective October 30, 1990; amended at 14 ILL. Reg. 18813, effective November 6, 1990; amended at 14 ILL. Reg. 10478,

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effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. _____, effective April 30, 1991; amended at 15 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section 140.11 Enrollment Conditions for Medical Providers

- a) In order to enroll for participation, providers shall:
- 1) Hold a valid, appropriate license where State law requires licensure of medical practitioners, agencies, ~~institutions~~-institutions and other medical vendors;
 - 2) Be certified for participation in the Title XVII Medicare program where Federal or State rules and regulations require such certification for Title XIX participation;
 - 3) Be certified for Title XIX when Federal or State rules and regulations so require;
 - 4) Provide enrollment information to the Department in the prescribed format, and notify the Department, in writing, immediately whenever there is a change in any such information which the provider has previously submitted;
 - 5) Provide disclosure, as requested by the Department, of all financial, beneficial, ownership, equity, surety, or other interests in any and all firms, corporations, partnerships, associations, business, enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services to public aid recipients; and
 - 6) Have a written provider agreement on file with the Department.

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Section 140.11 Enrollment Conditions for Medical Providers (Cont'd)

- b) Approval of a corporate entity such as a hospital, ~~nursing-home~~-pharmacy, laboratory, etc., as a participant in the Medical Assistance Program applies only to the entity's existing ownership, corporate structure and location; therefore, participation approval is not transferable.
- c) For long term care providers, when there is a change of ownership of a facility or a facility is leased to a new operator, the provider agreement shall be automatically assigned to the new owner or lessee. Such assigned agreement shall be subject to all conditions under which it was originally issued, including, but not limited to, any existing plans of correction or additional requirements imposed by the Department.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

SUBPART E: GROUP CARE

Section 140.646

Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities

- a) Residential providers are responsible for ensuring the provision of a continuous program of active treatment services for each resident (42 CFR 483.410(d) and 42 CFR 483.440). The Department (DPA) will reimburse SNF, ICF and ICF/MR facilities (including ICF/MR-15, Specialized Living Centers (SLC), and ICF/MR-SNF/PED) through a separate component of the per diem for DT services provided to residents who have developmental disabilities. Such individuals would be identified as needing DT by the facility's interdisciplinary team. The facilities may contract for these services from community providers whose programs are certified by the Department of Mental Health and Developmental Disabilities (DMHDD), or may provide their own DT if the DT Program is certified by the Department of Mental Health and Developmental Disabilities (DMHDD), and conducted by staff of the DT program. The DT program is defined as the distinct part of a long term

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NOTICE OF PROPOSED AMENDMENT

Section 140.646

Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities (Cont'd)

care or residential facility, or an independent business entity certified by DMHDD to provide DT services.

- b) Billing by the facility and payment by the Department for each month of active treatment services provided by the facility includes DT services.--Funds shall be passed through to the DT program within ten (10) working days of facility receipt of the payment from the Department, unless the facility itself operates the DT program.--Violation of this requirement, in addition to other penalties that may be incurred under Sections 140.16 and 140.17, shall constitute grounds for recovery of all funds not paid timely under this section.

c) Timely Billing Flow-Through for DT Services

- 1) Claims for reimbursement for DT services must be received by the Department no later than the close of business on the 16th day of the month following the previous month of DT services. If the 16th day of the month falls on a weekend, billing must be received by the Department no later than the close of business of the Friday before that weekend.

- 2) If the billing for DT services is not received by the Department as specified in Subsection c(1) above, a hold will be placed on the processing of the facility's claims for reimbursement and subsequent payment for services. The hold on processing of facility billing and payment for services will be lifted once the DT billing has been received.

- 3) The turnaround of DT attendance records from the DT provider to the facility must also be timely. These records are utilized by the facility to complete billings forms for DT services. DT attendance records should be returned to the facility by the 7th day of the month following the previous month of DT services. The facility

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Section 140.646

Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities (Cont'd)

must notify the Department five (5) working days before the 16th day of the month if the attendance records regarding DT services have not been returned to the facility. When DT billing is late due to a delay by the DT agency in submitting attendance records, no hold will be placed on facility billings or payments.

d) Timely Payment Flow-Through for DT Services

- 1) The facility must flow-through payments to the DT agency for DT services no later than ten (10) working days after facility receipt of the payment from the Department, unless the facility itself operates the DT program. The expected time frame for the DT agency to receive its flow-through payment is twenty (20) calendar days (5 days in the mail from the Department to the facility, no more than 10 days to issue payment, and 5 days in the mail from the facility to the DT agency). Facilities may incur penalties under Sections 140.16 and 140.17 for violations of this requirement.

- 2) When the Department is notified that reimbursement for DT services has not been received by the DT agency within the specified time frame, Department staff will contact the residential provider and request a copy of the cancelled check which was issued for DT services. If the facility is unable to demonstrate to the Department that the DT payment has been received by the DT agency, the Department will take the actions provided in subsection (d)(3) below.

- 3) If the DT payment has not been received by the DT agency within twenty (20) calendar days following Department release of the payment to the facility, a hold will be placed on the processing of facility billing and payment for facility services. The hold on facility billing and

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NOTICE OF PROPOSED AMENDMENT

Section 140.646 Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities (Cont'd)

payment will be lifted when the DT agency has received the outstanding payment for services.

e) Change of Ownership/Operator

1) Billing and payment for DT services must be processed and either paid in full or incurred as a debt whenever there is a change in ownership or licensed operator of a Medicaid funded residential facility. The transaction to change a licensed operator or transfer ownership must include a recognition of all debts of unprocessed and/or unpaid billings.

2) The Department will not enter into a provider agreement with a residential provider unless:

- A) payment is made in full for all DT services by the previous owner/operator; or
 - B) the amount is incurred as a debt to be paid in full by the new owner/operator within forty-five (45) calendar days after becoming the new owner/operator when the Department has paid the facility in full prior to the change in ownership or licensed operator for all DT services provided under the previous owner; or
 - C) the amount is incurred as a debt to be paid in full by the new owner/operator within ten (10) working days after facility receipt of the payment from the Department, when such payment reaches the facility on or after the effective date of the change in ownership or licensed operator.
- 3) If the new owner/operator does not pay the full amount due the DT agency by the end of the forty-five (45) day period as specified in Subsection e(2)(B) above, or by the end of the ten (10) day period as specified in subsection e(2)(C) above, a hold on the reimbursements

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NOTICE OF PROPOSED AMENDMENT

Section 140.646 Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities (Cont'd)

will be implemented. The hold on facility billings and payment will be lifted after the DT agency has been paid in full for the indebted amount.

e)f) Providers of DT programs services will be responsible for providing any required transportation between the program and the facility. Reimbursement for transportation costs is included in the DT program monthly rate as established in Section 140.648. The DT Program contracting with a long term or residential facility may not elect to discontinue the provision of transportation.

d)g) The term Mentally Retarded and related conditions, as used in rules contained in Sections 140.646 - 140.652 refers to individuals meeting the definition of mental retardation or related conditions as described in 42 CFR 435.1009 (1989).

e)h) The term "facility" which is used in rules contained in Sections 140.646 - 140.652 is understood to refer to long term care facilities (ICF and SNF) and residential facilities (ICF/MR, including ICF/MR-15, SLC, and ICF/MR-SNF/PED).

f)i) Persons with developmental disabilities who are residents of facilities, and whose public school special education services have been terminated, are deemed eligible for DT services.

g)j) DT programs shall be subject to review as part of the Department's evaluation of recipient care under its utilization and medical reviews of long term care and residential facilities (Section 140.512).

h)k) Payment may be approved for DT services, during a DT participant's hospitalization, for a period not to exceed 10 days. Such payments:

- 1) are limited to individuals who will be returning to the same facility,

DEPARTMENT OF PUBLIC AID

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Section 140.646

Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities (Cont'd)

- 2) are a daily rate at 75% of the individual's current DT per diem rate.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part:

College Immunization Code

- 2) Code Citation:

77 Ill. Adm. Code 694

- 3) Section Numbers:

694.220

Proposed Action:

Amendment

- 4) Statutory Authority:

An Act concerning education and amending an ACT herein named Ill. Rev. Stat. 1989, ch. 144, par. 2601 et seq.

- 5) A Complete Description of the Subjects and Issues Involved:

This proposed amendment modifies the existing terminology for exemptions to college immunization requirements. It changes the current exemption for post-secondary students enrolled in "one class" during a term or semester to students enrolled "less than half-time" during a term or semester. Many colleges and universities do not have administrative systems designed to identify a student's enrollment in terms of the number of classes or courses.

- 6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ___ No X

- 7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ___ No X

If "yes," please specify the date: _____

- 8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ___ No X

If "yes," please specify type: 6.02(a) ___ or 6.02(b) ___

- 9) Are there any other Proposed Amendments Pending on this Part?

Yes ___ No X

If Yes:

Section Numbers

Proposed Action

Ill. Reg. Citation

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Policy Objectives:

This amendment would clarify the language of an existing state mandate.
11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

Colleges, universities and other post-secondary institutions.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

Verification of the classification status of student.

D) Types of Professional Skills Necessary for Compliance:

No specific professional skills.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER K: COMMUNICABLE DISEASE CONTROL AND IMMUNIZATIONS

PART 694
COLLEGE IMMUNIZATION CODE

SUBPART A: GENERAL PROVISIONS

Section
694.10 Purpose
694.20 Definitions

SUBPART B: IMMUNIZATION REQUIREMENTS

Section
694.100 Proof of Immunity
694.110 Recordkeeping
694.120 Completion and Submission of the Summary Report

SUBPART C: EXEMPTIONS

Section
694.200 Medical Exemption
694.210 Religious Exemption
694.220 Classification Exemption

694. Appendix A Certificate of Immunity Form
694. Appendix B Summary Report of the Immunization Status of College/University Students
694. Appendix C Required Elements of Health Record

AUTHORITY: Implementing and authorized by "AN ACT concerning education and amending an Act herein named" (Ill. Rev. Stat. 1989, ch. 1.4, par. 2601 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 1609, effective January 19, 1990; Emergency amendment at 14 Ill. Reg. 5882, effective March 30, 1990, for a maximum 150 days; Amended at 14 Ill. Reg. 14551, effective August 27, 1990; Amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

NOTICE OF PROPOSED AMENDMENTS

Section 694.220 Classification Exemption

Students are exempt from the immunization requirements of this Part if they are enrolled for:

- a) Less than half-time Only one class during a term, semester, quarter, or
- b) Instruction solely involving research, field work, or study outside of a classroom environment; or
- c) Instruction which utilizes correspondence as its primary mode of delivery. This includes students who are only enrolled in courses where no direct (physical) interaction occurs between the student and others receiving similar instruction (e.g. telecourses, courses by way of mail).

(Source: Amended at 15 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Over/Under Rules
- 2) Code Citation: 11 Ill. Adm. Code 419
- 3) Section Numbers Proposed Action
419.90 Repeal
- 4) Statutory Authority: 111. Rev. Stat. 1989, ch. 8, par. 37-9(b).
- 5) A complete description of the subjects and issues involved: This amendment will remove the cross reference of a rule which has been repealed. Section 405.170 - Multiple Wagering Pools was repealed January 3, 1991 and was published in the Illinois Register at 15 Ill. Reg. 591.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 4/22/91
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: N/A
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11 ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 419

OVER/UNDER RULES

Section	
419.10	Over/Under Wager
419.20	Determination and Publication of Over/Under Number
419.30	Pool Calculations
419.40	Dead Heats
419.50	Name and Notice
419.60	Sale of Tickets
419.70	Scratches
419.80	Cancellation of Races
419.90	Limitation on Multiple Wagers Does Not Apply <u>(Repealed)</u>
419.100	Minimum Wager Accepted

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b)).

SOURCE: Adopted at 14 Ill. Reg. 14978, effective September 4, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 419.90 Limitation on Multiple Wagers Does Not Apply (Repealed)
The provision of 11 Ill. Adm. Code 405.170 which limits the number of multiple wagering races shall not prevent an organization licensee from implementing the Over/Under.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pick Four & Pick Five Rules
- 2) Code Citation: 11 Ill. Adm. Code 416
- 3) Section Numbers
416.80
Proposed Action
Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b).
- 5) A complete description of the subjects and issues involved: This amendment will remove the cross reference of a rule which has been repealed. Section 405.170 - Multiple Wagering Pools was repealed January 3, 1991 and was published in the Illinois Register at 15 Ill. Reg. 591.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 4/22/91
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: N/A
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 416

PICK FOUR & PICK FIVE RULES

Section

416.10 Pick Four or Pick Five
 416.20 Entries and Fields
 416.30 Pool Calculations
 416.40 Dead Heats
 416.50 Sale of Tickets
 416.60 Name and Notice
 416.70 Cancellation of Races
 416.80 Limitation on Multiple Wagers Does Not Apply (Repealed)
 416.90 Disclosure

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b)).

SOURCE: Adopted at 4 Ill. Reg. 46,p. 1289, effective November 5, 1980; codified at 5 Ill. Reg. 10901 amended at 15 Ill. Reg. _____, effective _____.

Section 416.80 Limitation on Multiple Wagers Does Not Apply (Repealed)

The provisions of Rule B5.17 (11 Ill. Adm. Code Section 405.170) which limits the number of multiple wagering races shall not prevent an organization licensee from implementing the Pick Four or Pick Five.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Pick N Wagering Pool2) Code Citation: 11 Ill. Adm. Code 4383) Section Numbers
438.80
Proposed Action
Repeal4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b).

5) A complete description of the subjects and issues involved: This amendment will remove the cross reference of a rule which has been repealed. Section 405.170 - Multiple Wagering Pools was repealed January 3, 1991 and was published in the Illinois Register at 15 Ill. Reg. 591.

6) Will these proposed amendments replace emergency amendments currently in effect? No.7) Does this rulemaking contain an automatic repeal date? No.8) Do these proposed amendments contain incorporation by reference? No.9) Are there any other proposed amendments pending in this Part? No.10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board
 Legal Department
 100 West Randolph, Ste. 11-100
 Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 4/22/91
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: N/A
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE B: HORSE RACING
 CHAPTER I: ILLINOIS RACING BOARD
 SUBCHAPTER b: GENERAL RULES

PART 438

PICK N WAGERING POOL

Section	Pick N
438.10	Entries and Fields
438.20	Pool Calculations
438.30	Scratches
438.35	Dead Heats
438.40	Sale of Tickets
438.50	Name and Notice
438.60	Cancellation of Races
438.70	Limitation on Multiple Wagers Does Not Apply <u>(Repealed)</u>
438.80	Disclosure
438.90	Carryover Cap
438.100	Mandatory Distribution
438.110	

AUTHORITY: Implementing and authorized by Sections 9(a),(n) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch.8, pars. 37-9(a),(n)).

SOURCE: Adopted at 14 Ill. Reg. 17633, effective October 16, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 438.80 Limitation on Multiple Wagers Does Not Apply (Repealed)

The provisions of 11 Ill. Adm. Code Section 405.170 which limit the number of multiple wagering races shall not prevent an organization licensee from implementing the Pick N.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: PPT Rules
- 2) Code Citation: 11 Ill. Adm. Code 418
- 3)

<u>Section Numbers</u>	<u>Proposed Action</u>
418.100	Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b).
- 5) A complete description of the subjects and issues involved: This amendment will remove the cross reference of a rule which has been repealed. Section 405.170 - Multiple Wagering Pools was repealed January 3, 1991 and was published in the Illinois Register at 15 Ill. Reg. 591.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 4/22/91
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: N/A
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER b: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 418
PPT RULES

Section	
418.10	PPT Defined
418.20	Separate Pool
418.30	Entries and Fields
418.40	Dead Heats
418.50	No Winning Combination
418.60	Mandatory Distribution
418.65	Calendar Year Restriction
418.70	One or Two Races Cancelled
418.80	Refunds
418.90	Name and Notice
418.95	Only One PPT Per Program
418.100	Limitation on Multiple Wagers Does Not Apply (Repealed)
418.110	Disclosure

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch.8, par. 37-9(b)).

SOURCE: Adopted at 10 Ill. Reg. 5834, effective March 31, 1986; amended at 15 Ill. Reg. _____, effective _____.

Section 418.100 Limitation on Multiple Wagers Does Not Apply (Repealed)

The provisions of other Board rules limiting the number of multiple wagering races shall not prevent an organization licensee from implementing the PPT form of wagering.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pick Six Rules
- 2) Code Citation: 11 Ill. Adm. Code 417
- 3) Section Numbers
417.80
Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b).
- 5) A complete description of the subjects and issues involved: This amendment will remove the cross reference of a rule which has been repealed. Section 405.170 - Multiple Wagering Pools was repealed January 3, 1991 and was published in the Illinois Register at 15 Ill. Reg. 591.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 4/22/91
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: N/A
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE B: HORSE RACING
 CHAPTER I: ILLINOIS RACING BOARD
 SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 417
 PICK SIX RULES

Section	Pick Six
417.10	Entries and Fields
417.20	Pool Calculations
417.30	Dead Heats
417.40	Sale of Tickets
417.50	Name and Notice
417.60	Cancellation of Races
417.70	Limitation on Multiple Wagers Does Not Apply (Repealed)
417.80	Disclosure
417.90	

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b)).

SOURCE: Adopted at 4 Ill. Reg. 46, p. 1293, effective November 5, 1980; codified at 5 Ill. Reg. 10903; amended at 15 Ill. Reg. _____, effective _____.

Section 417.80 Limitation on Multiple Wagers Does Not Apply (Repealed)

The provisions of Rule B5.17 (11 Ill. Adm. Code Section 405.170) which limit the number of multiple wagering races shall not prevent an organization licensee from implementing the Pick Six.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Driving and Parking

Division of Traffic Safety

2) Code Citation: 92 Ill. Adm. Code 397

P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

3) Section Numbers:

Proposed Action:

397.1020

Amend

4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

By Messenger or Inter-Agency Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

5) A complete description of the subjects and issues involved:
By this Notice of Proposed Amendment, the Department proposes to delete the date of incorporation by reference of 49 CFR 397 as of October 1, 1989 and insert in its place the date of October 1, 1990, the date of the CFR's latest publication.

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

A) Date rule was submitted to D.C.C.A.: 4-25-91

7) Does this rulemaking contain an automatic repeal date? No

B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.). This Part does not impose any additional burdens on small businesses.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

The full text of the Proposed Amendment begins on the next page:

By U.S. Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Illinois Department of Transportation

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION

CHAPTER 1: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER 4: MOTOR CARRIER SAFETY REGULATIONS

PART 397

DRIVING AND PARKING

Section
397.1000
397.1010
397.1020

General

Application

Incorporation By Reference of 49 CFR 397

392.2000

Amend

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; codified at 8 Ill. Reg. 17986; recodified from 92 Ill. Adm. Code 397-Subchapter c at 14 Ill. Reg. 3281; Part repealed, new Part adopted at 14 Ill. Reg. 15496, effective September 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 397.1020 Incorporation By Reference of 49 CFR 397

a) The Department incorporates "Driving and Parking" (49 CFR 397) by reference as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 198990, subject only to the exceptions in subsections (b) and (c). No later amendments to or editions of 49 CFR 397 are incorporated.

b) Section 397.1 is deleted and not incorporated.

c) Section 397.2 is deleted and not incorporated.

d) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

1) Heading of Part: Driving of Motor Vehicles

2) Code Citation: 92 Ill. Adm. Code 392

3) Section Numbers: Proposed Action:

4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to delete the date of incorporation by reference of 49 CFR 392 as of October 1, 1989 and insert in its place the date of October 1, 1990, the date of the CFR's latest publication.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Illinois Department of Transportation

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to D.C.C.A.: **4-25-91**
- B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.). This Part does not impose any additional burdens on small businesses.
- C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.
- D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER 1: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 392
DRIVING OF MOTOR VEHICLES

Section
392.1000 General
392.2000 Incorporation by Reference of 49 CFR 392

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15503, effective September 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 392.2000 Incorporation by Reference of 49 CFR 392

- a) "Driving of Motor Vehicles" (49 CFR 392) is incorporated by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1989. No later amendments to or editions of 49 CFR 392 are incorporated.
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in the FMCSR.

(Amended at 15 Ill. Reg. _____, effective _____.)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Hours of Service of Drivers

2) Code Citation: 92 Ill. Adm. Code 395

3) Section Numbers: Proposed Action:

395.2000

Amend

4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

5) A complete description of the subjects and issues involved:
By this Notice of Proposed Amendments, the Department proposes to delete the date of incorporation by reference of 49 CFR 395 as of October 1, 1989 and insert in its place the date of October 1, 1990, the date of the CFR's latest publication.

A review of the federal regulations adopted since October 1, 1989 indicates there is a change made by US DOT that should be reflected in the Department's regulations. This rulemaking will bring Part 395 in line with the federal regulations. The following is a summary of the change in US DOT regulations included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate a change made to Part 395 by US DOT in rulemaking Docket:

MC-119 [55 FR 32916 (August 13, 1990)]

Docket MC-119 amended 49 CFR 395.3 "maximum driving and on-duty time" to include a phrase that was inadvertently omitted when the rule was last amended.

The Department is also proposing to include a revision to 49 CFR 395.13 per the request of the Illinois State Police (ISP), the agency responsible for enforcing the Motor Carrier Safety Regulations. The revision provides authority to the ISP to declare a driver out of service for hours of service violations. This proposed amendment also prescribes the responsibilities of motor carriers.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

11) Time, place, and manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

A) Date rule was submitted to D.C.C.A.: 4-25-91

B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.). This Part does not impose any additional burdens on small businesses.

C) Reporting, bookkeeping or other procedures required for compliance: If required, the motor carrier shall complete the ISP 5-238 and deliver or mail it to the Illinois State Police within 15 days following the date of examination.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 395
HOURS OF SERVICE OF DRIVERS

Section
395.1000
395.2000

General
Incorporation by Reference of 49 CFR 395

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15507, effective September 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 395.2000 Incorporation by Reference of 49 CFR 395

a) "Hours of Service of Drivers" (49 CFR 395) is incorporated by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1989, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 395 are incorporated.

b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.

c) The following interpretations of, additions to and deletions from 49 CFR 395 shall apply for purposes of this Part.

1) Section 395.8(1)(1) as it applies to intrastate carriers is amended to establish that DRIVERS SHALL OPERATE WITHIN A 200 AIR-MILE RADIUS OF THE NORMAL WORK REPORTING LOCATION TO QUALIFY FOR EXEMPT STATUS. (Section 18b-105(d) of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 18b-105(d))

2) Section 395.13 is not incorporated and the following substituted therefor:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

A) Authority to declare drivers out of service. Every Illinois State Police officer certified to conduct Commercial Vehicle Inspections, Levels 1, 2, and 3 (as defined in 92 Ill. Adm. Code 390) is authorized to declare a driver out of service and to notify the motor carrier of that declaration upon finding at the time and place of examination that the driver has violated the out of service criteria as set forth in subsection (c)(2)(B).

B) Out of Service Criteria

i) No driver shall drive after being on duty in excess of the maximum periods permitted by 49 CFR 395.

ii) No driver required to maintain a record of duty status under 49 CFR 395.8 or 395.15 shall fail to have a record of duty status current on the day of examination and for the prior seven consecutive days.

iii) Exception. A driver failing only to have possession of a record of duty status current on the day of examination and the prior day, but has completed records of duty status up to that time (previous 6 days), will be given the opportunity to make the duty status record current.

C) Responsibilities of motor carriers

i) No motor carrier shall:
Require or permit a driver who has been declared out of service to operate a motor vehicle until that driver may lawfully do so under the requirements in 49 CFR 395;
Require a driver who has been declared out of service for failure to prepare a record of duty status to operate a motor vehicle until that driver has been off duty for eight consecutive hours and is in compliance with this section. The consecutive eight hour off duty period may include sleeper berth time.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

ii) A motor carrier shall, if required (refer to 92 Ill. Adm. Code 396.2013 for requirement), complete the "Notice to Motor Carrier" portion of the Form ISP 5-238 (Illinois Commercial Driver/Vehicle Inspection Report) and deliver the copy of the form either personally or by mail to the Illinois State Police Motor Carrier Safety Section at the address specified upon the form within 15 days following the date of examination. If the motor carrier mails the form, delivery is made on the date it is postmarked.

D) Responsibilities of the Driver:

i) No driver who has been declared out of service shall operate a motor vehicle until that driver may lawfully do so under the requirements of 49 CFR 395.

ii) No driver who has been declared out of service, for failing to prepare a record of duty status, shall operate a motor vehicle until the driver has been off duty for eight consecutive hours and is in compliance with this Section.

iii) A driver to whom a form has been tendered declaring the driver out of service shall within 24 hours thereafter deliver or mail the copy to a person or place designated by motor carrier to receive it.

iv) This Section does not alter the hazardous materials requirements prescribed in 92 Ill. Adm. Code 397 pertaining to attendance and surveillance of motor vehicles.

23) Part 395 SHALL NOT APPLY TO AGRICULTURAL MOVEMENTS that are engaged in intrastate commerce. (Section 18b-105(c)(6) of the law)

(Amended at 15 Ill. Reg. _____, effective _____.)

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Inspection, Repair and Maintenance
- 2) Code Citation: 92 Ill. Adm. Code 396
- 3) Section Numbers:
396.2000
Proposed Action:
Amend
- 4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).
- 5) A complete description of the subjects and issues involved:
By this Notice of Proposed Amendments, the Department proposes to delete the date of incorporation by reference of 49 CFR 396 as of October 1, 1989, as amended at 54 FR 50722, December 8, 1989, and insert in its place the date of October 1, 1990, as amended at 56 FR 489, January 7, 1991. This rulemaking will bring Part 396 in line with the federal regulations. The following is a summary of the change in US DOT regulations which is included in this proposed rulemaking:
MC-89-3 amended 49 CFR 396 by adding section 396.25, "Qualifications of Brake Inspectors." This section establishes minimum training requirements and qualifications for employees responsible for maintaining and inspecting brakes and brake systems. Motor carriers must implement this rule by January 1, 1992.
The Department corrected the heading of Section 396.2000. The word "Reference" now corresponds with Section 396.2000 in the Table of Contents.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No

ILLINOIS REGISTER

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:
Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:
By U.S. Mail:
Mr. Tom Crawford, Manager
Regulations and Training Unit
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064
By Messenger or Inter-Agency Mail:
Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois
Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.
- 12) Initial Regulatory Flexibility Analysis:
 - A) Date rule was submitted to D.C.C.A.: 4-25-91
 - B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).
 - C) Reporting, bookkeeping or other procedures required for compliance: Motor carriers are required to

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

maintain evidence of the brake inspectors qualifications at the motor carriers place of business or the location at which the inspector is employed. The evidence must be maintained for the period of the inspector's employment and for one year thereafter.

- D) Types of professional skills necessary for compliance:
The brake inspector must be capable of performing the assigned brake service or inspection by reason of experience, training or both.

The full text of the Proposed Amendment begins on the next page:

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DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 396
INSPECTION, REPAIR AND MAINTENANCE

Section	General
396.1000	Incorporation by Reference of 49 CFR 396
396.2000	Inspection of Vehicles in Operation
396.2010	

AUTHORITY: Implementing Section 18b-100 et. seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15512, effective September 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 396.2000 Incorporation by Reference of 49 CFR 396

- a) The Department incorporates "Inspection, Repair and Maintenance" (49 CFR 396) by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1989, ~~as amended at 54 FR 50422, December 8, 1989, as amended at 56 FR 489, January 7, 1991, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 396 are incorporated.~~
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.
- c) The following interpretations of, additions to and deletions from 49 CFR 396 shall apply for purposes of this Part.
- 1) Section 396.9 is deleted and not incorporated.
 - 2) SECTION 396.11 SHALL NOT APPLY TO THE OPERATOR OF A COMMERCIAL VEHICLE USED IN INTRASTATE COMMERCE. (Section 18b-105(c)(3) of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 18b-105(c)(3))

DEPARTMENT OF TRANSPORTATION

91

NOTICE OF PROPOSED AMENDMENTS

- 3) PARAGRAPHS (b) AND (c) OF SECTION 396.13 SHALL NOT APPLY TO THE OPERATOR OF A COMMERCIAL VEHICLE USED IN INTRASTATE COMMERCE. (Section 18b-105(c)(4) of the Law)
- 4) Any commercial motor vehicle used in intrastate commerce that is inspected semi-annually pursuant to Section 13-109 of the Illinois Vehicle Code (the Code) (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 13-109) has complied with the periodic inspection procedures required by section 396.17.

(Amended at 15 Ill. Reg. _____, effective _____.)

DEPARTMENT OF TRANSPORTATION

91

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Motor Carrier Safety Regulations: General
- 2) Code Citation: 92 Ill. Adm. Code 390
- 3) Section Numbers: Proposed Action:
 390.1020 Amend
 390.2000 Amend
- 4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).
- 5) A complete description of the subjects and issues involved:

By this Notice of Proposed Amendments, the Department proposes to delete the date of incorporation by reference of 49 CFR 390 as of October 1, 1989 and insert in its place the date of October 1, 1990.

The Department proposes to update the citations to the Code of Federal Regulations (49 CFR) throughout the Part from October 1, 1989 to October 1, 1990, the date of the CFR's latest publication.

A review of the Federal regulations adopted since October 1, 1989, to the proposed date of incorporation by reference indicates there are changes made by US DOT not reflected in the Department's regulations. This rulemaking will make substantive changes to the Department's regulations to bring Part 390 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate changes made to Part 390 by US DOT in rulemaking Dockets:

MC-89-6 [55 FR 6991 (February 28, 1990)]

MC-114 [55 FR 32916 (August 13, 1990)]
 [55 FR 35434 (August 30, 1990)]

Docket MC-896 added a new paragraph at 49 CFR 390.21 "Marking of Vehicles" to allow motor carriers who rent certain rental vehicles to mark those vehicles with the

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name and address of the rental company and their US DOT identification number in lieu of requiring the motor carrier to display its required identification information on the sides of the rental vehicle.

Docket MC-114 amended the definitions of "private motor carrier of passengers" and "private motor carrier of property" in 49 CFR 390.5 to make them consistent with the definition of "private motor carrier" in the underlying statutory authority and to eliminate any misinterpretation of those definitions. The August 30 rulemaking corrected an error to the technical amendment made on August 13.

The Department is also amending this Part to include a definition for "Commercial Vehicle Inspections" as referenced in 92 Ill. Adm. Code 395.

Finally, this proposed rulemaking corrects an error in the definition of "alcohol concentration" by replacing the word "millimeters" with the word "milliliters."

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit

DEPARTMENT OF TRANSPORTATION

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Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: 4-25-91

B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.). This Part does not impose any additional burdens on small businesses.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendment begins on the next page:

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TITLE 92: TRANSPORTATION
 CHAPTER I: DEPARTMENT OF TRANSPORTATION
 SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 390
 MOTOR CARRIER SAFETY REGULATIONS: GENERAL

SUBPART A: GENERAL APPLICABILITY AND DEFINITIONS

Section
 390.1000
 390.1010
 390.1020
 390.1030

Purpose
 General Applicability
 Definitions
 Rules of Construction

SUBPART B: GENERAL REQUIREMENTS AND INFORMATION

Section
 390.2000

Incorporation by Reference of 49 CFR 390, Subpart B

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15519, effective September 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL APPLICABILITY AND DEFINITIONS

Section 390.1020 Definitions

The following definitions apply to all Parts in the MCSR unless a specific Part expressly defines a term different than what is used below:

"Alcohol concentration" (AC) means the concentration of alcohol in a person's blood or breath. When expressed as a percentage it means grams of alcohol per 100 ~~milliliters~~ milliliters of blood or grams of alcohol per 210 liters of breath. "Federal Motor Carrier Safety Regulations: General" (49 CFR 390.5, October 1, 19~~89~~90)

"Bus" means any motor vehicle designed, constructed, and/or used for the transportation of passengers, including taxicabs. (49 CFR 390.5, October 1, 19~~89~~90)

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"BUSINESS DISTRICT" MEANS THE TERRITORY CONTIGUOUS TO AND INCLUDING A HIGHWAY WHEN WITHIN ANY 600 FEET ALONG SUCH HIGHWAY THERE ARE BUILDINGS IN USE FOR BUSINESS OR INDUSTRIAL PURPOSES, INCLUDING BUT NOT LIMITED TO, HOTELS, BANKS, OR OFFICE BUILDINGS WHICH OCCUPY AT LEAST 300 FEET OF FRONTAGE ON ONE SIDE OR 300 FEET COLLECTIVELY ON BOTH SIDES OF THE HIGHWAY. (Section 1-108 of the Illinois Vehicle Code (the Code)(Ill. Rev. Stat. 1989, ch. 95 1/2, par. 1-108)).

"Charter transportation of passengers" means transportation, using a bus, or a group of persons who, pursuant to a common purpose, under a single contract, at a fixed charge for the vehicle, have acquired the exclusive use of the vehicle to travel together under an itinerary either specified in advance or modified after having left the place of origin. (49 CFR 390.5, October 1, 19~~89~~90)

"Code" means the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 1-100 et seq.)

"COMMERCE" MEANS TRADE, COMMERCE OR TRANSPORTATION WITHIN THE STATE. (Section 18b-101(1) of the Law)

"Commercial Motor Vehicle (CMV)" means:

ALL VEHICLES OPERATED IN INTRASTATE TRANSPORTATION REGISTERED FOR A GROSS WEIGHT OF 12,001 POUNDS OR MORE, ARE OPERATED FOR THE TRANSPORTATION OF PROPERTY AND USED IN THE FURTHERANCE OF ANY COMMERCIAL OR INDUSTRIAL ENTERPRISE, WHETHER FOR-HIRE OR NOT-FOR-HIRE. (Section 18b-106 of the Law) Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:
 The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
 The vehicle is designed to transport more than 15 passengers, including the driver, or
 The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary of the United States Department of Transportation under the Hazardous Materials Transportation Act. (49 CFR 390.5, October 1, 19~~89~~90)

"Commercial Vehicle Inspections" means:

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Level 1 - North American Standard Inspection: An inspection that includes each of the items specified under the North American Uniform Out-of-Service Criteria. As a minimum, North American Standard Inspections must include examination of: driver's license, medical examiner's certificate and waiver if applicable, alcohol and drugs, driver's record of duty status as required, hours of service, seat belt, vehicle inspection report, brake system, steering mechanism, wheels and rims, tires, coupling devices, suspension, frame, fuel system, exhaust system, windshield glazing and wipers, lighting devices, safe loading, and hazardous material requirements as applicable.

Level 2 - Walk Around Driver/Vehicle Inspection: An examination that, as a minimum, includes: driver's license, medical examiner's certificate, and waiver if applicable, driver's record of duty status as required, hours of service, seat belt, vehicle inspection report, fire extinguisher, warning devices for stopped vehicles, head lamps, turn signals, stop lamps, windshield and wipers, wheels, tires, fuel system, exhaust system, visible brake components, coupling devices, cargo securement, low air warning device, visible suspension components, and hazardous material requirements as applicable. It is contemplated that the walk-around driver/vehicle inspection will be conducted without inspecting underneath the vehicle.

Level 3 - Driver Only Inspection: A roadside examination of the driver's license, medical certification and waiver if applicable, driver's record of duty status as required, hours of service, seat belt, and vehicle inspection report.

"Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated. (49 CFR 390.5, October 1, 1999)

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"DEPARTMENT" MEANS THE ILLINOIS DEPARTMENT OF TRANSPORTATION. (Section 18b-106 of the Law)

"Driving a commercial motor vehicle while under the influence of alcohol" means committing any one or more of the following acts in a CMV: Driving a CMV while the person's alcohol concentration is 0.04 percent or more; driving under the influence of alcohol, as prescribed by state law; or refusal to undergo such testing as is required by any state or jurisdiction in the enforcement of "Commercial Driver's License Standards; Requirements and Penalties" (49 CFR 383.51(b)(2)(i)(A) or (B)) or "Driving of Motor Vehicles" (49 CFR 392.5(a)(2)). (49 CFR 390.5, October 1, 1999)

"Driveaway-towaway operation" means any operation in which a motor vehicle constitutes the commodity being transported and one or more set of wheels of the vehicle being transported are on the surface of the roadway during transportation. (49 CFR 390.5, October 1, 1999)

"Driver" means any person who operates any commercial motor vehicle. (49 CFR 390.5, October 1, 1999)

"Employee" means:

A driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle);

A mechanic;

A freight handler; and

Any individual, who in the course of his or her employment directly affects commercial motor vehicle safety, but such term does not include an employee of the United States, any state, any political subdivision of a state, or any agency established under a compact between states and approved by the Congress of the United States who is acting within the course of such employment. (49 CFR 390.5, October 1, 1999)

"Employer" means any person engaged in a business affecting commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such term does not include the United States, any state, any political subdivision of a state, or any agency established under a compact between states approved by the Congress of the United States.

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"Exempt intracity zone" means the geographic area of a municipality or the commercial zone of that municipality described by the Interstate Commerce Commission (ICC) in "Commercial Zones" (49 CFR 1048), revised as of October 1, 1975. The descriptions are printed in Appendix F to the Motor Carrier Safety Regulations. A driver may be considered to operate a vehicle wholly within an exempt intracity zone notwithstanding any common control, management, or arrangement for a continuous carriage or shipment to or from a point without such zone. (49 CFR 390.5, October 1, 1989)

"Exempt motor carrier" means a person engaged in transportation exempt from economic regulation by the ICC under "Miscellaneous Motor Carrier Transportation Exemptions" (49 U.S.C. 10526). "Exempt motor carriers" are subject to the requirements set forth in the Motor Carrier Safety Regulations. (49 CFR 390.5, October 1, 1989)

"Farm-to-market agricultural transportation" means the operation of a motor vehicle controlled and operated by a farmer who:

Is a private motor carrier of property;
Is using the vehicle to transport agricultural products from a farm owned by the farmer, or to transport farm machinery or farm supplies to or from a farm owned by the farmer; and
Is not using the vehicle to transport hazardous materials of a type or quantity that require the vehicle to be placarded in accordance with "Carriage by Public Highway" (49 CFR 177.823), October 1, 1989. (49 CFR 390.5, October 1, 1989)

Farm vehicle driver" means a person who drives only a motor vehicle that is --

Controlled and operated by a farmer as a private motor carrier of property;

Being used to transport either --

Agricultural products, or
Farm machinery, farm supplies, or both, to or from a farm;

Not being used in the operation of a for-hire motor carrier;

Not carrying hazardous materials of a type or quantity

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that required the vehicle to be placarded in accordance with 49 CFR 177.823; and
Being used within 150 air-miles of the farmer's farm. (49 CFR 390.5, October 1, 1989)

"Farmer" means any person who operates a farm or is directly involved in the cultivation of land, crops, or livestock which:

Are owned by that person; or

Are under the direct control of that person. (49 CFR 390.5, October 1, 1989)

"Federal Highway Administrator" means the chief executive of the Federal Highway Administration, an agency within the United States Department of Transportation. (49 CFR 390.5, October 1, 1989)

"FOR-HIRE" MEANS THE OPERATION OF A VEHICLE FOR COMPENSATION AND SUBJECT TO FEDERAL REGULATION BY THE INTERSTATE COMMERCE COMMISSION OR TO STATE REGULATION BY THE ILLINOIS COMMERCE COMMISSION (Section 1-124 of the Code).

"For-hire motor carrier" means a person engaged in the transportation of goods or passengers for compensation. (49 CFR 390.5, October 1, 1989)

"Gross Combination Weight Rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon. (49 CFR 390.5, October 1, 1989)

"Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single vehicle. (49 CFR 390.5, October 1, 1989)

"Hazardous material" means a substance or material which has been determined by the Secretary of the United States Department of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated. (49 CFR 390.5, October 1, 1989)

"Hazardous substance" means a material, and its mixtures or

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solutions, that is identified in the "Hazardous Materials Table and Hazardous Materials Communications" (49 CFR 172.101) when offered for transportation in one package, or in one transport vehicle if not packaged, and when the quantity of the material therein equals or exceeds the reportable quantity (RQ). This definition does not apply to petroleum products that are lubricants or fuels, or to mixtures or solutions of hazardous substances if in a concentration less than that shown in "General Information, Regulations and Definitions" (49 CFR 171.8) based on the reportable quantity (RQ) specified for the materials listed in 49 CFR 172.101. (49 CFR 390.5, October 1, 1989)

"Hazardous waste" means any material that is subject to the hazardous waste manifest requirements of the EPA specified in "Standards Applicable to Generators of Hazardous Waste" (40 CFR 262) or would be subject to these requirements absent an interim authorization to a State under "State Program Requirements" (40 CFR 123), Subpart F. (49 CFR 390.5, October 1, 1989)

"Illinois State Police" means any individual officer of the Illinois State Police.

"Intermittent, casual, or occasional driver" means a driver who in any period of 7 consecutive days is employed or used as a driver by more than a single motor carrier. The qualification of such a driver shall be determined and recorded in accordance with the provisions of 49 CFR 391.63 or 391.65, as applicable. (49 CFR 390.5, October 1, 1989)

"INTERSTATE COMMERCE" MEANS TRANSPORTATION BETWEEN TWO OR MORE STATES OR TRANSPORTATION ORIGINATING IN ONE STATE AND PASSING INTO OR THROUGH OTHER STATES FOR DELIVERY IN ANOTHER STATE. (Section 1-133 of the Code)

"Intrastate commerce" means any trade, traffic, or transportation in Illinois which is not described in the term "interstate commerce." (49 CFR 390.5, October 1, 1989)

"Law" means the Illinois Motor Carrier Safety Law. (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.)

"Motor carrier" means a for-hire motor carrier or a private motor carrier of property. The term "motor carrier" includes a motor carrier's agents, officers and representatives as well as

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employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of the MCSR, the definition of "motor carrier" includes the terms "employer" and "exempt motor carrier." (49 CFR. 390.5, October 1, 1989)

"Motor Carrier Safety Regulations (MCSR)" means the requirements established in Parts 386, 390, 391, 392, 393, 395, 396 and 397 (92 Ill. Adm. Code: Chapter I, Subchapter d).

"Motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Highway Administration, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service. (49 CFR 390.5, October 1, 1989)

"Operator" -- see driver.

"Other terms" -- any other term used in the MCSR is used in its commonly accepted meaning, except where such other term has been defined elsewhere in the MCSR. In that event, the definition therein given shall apply. (49 CFR 390.5, October 1, 1989)

"PERSON" MEANS ANY NATURAL PERSON OR INDIVIDUAL, GOVERNMENTAL BODY, FIRM, ASSOCIATION, PARTNERSHIP, COPARTNERSHIP, JOINT VENTURE, COMPANY, CORPORATION, JOINT STOCK COMPANY, TRUST, ESTATE OR ANY OTHER LEGAL ENTITY OR THEIR LEGAL REPRESENTATIVE, AGENT OR ASSIGNS. (Section 18b-101(5) of the Law)

"Principal place of business" means a single location designated by the motor carrier, normally its headquarters, where records required by "Minimum Levels of Financial Responsibility for Motor Carriers" (49 CFR 387) and "Notification and Reporting of Accidents" (49 CFR 394) or "Qualification of Drivers" (49 CFR 391), "Hours of Service of Drivers" (49 CFR 395), and "Inspection, Repair and Maintenance" (49 CFR 396) will be maintained. Provisions in the MCSR are made for maintaining certain records at locations other than

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the principal place of business. (49 CFR 390.5, October 1, 1989)

"Private motor carrier of passengers" means a person who is engaged in an enterprise ~~other than transportation~~ and provides transportation of passengers, by motor vehicle, that is within the scope of, and in the furtherance of that enterprise. (49 CFR 390.5, October 1, 1989)

"Private motor carrier of property" means a person who ~~transports, by motor vehicle, property of which that person is the owner, lessee or bailee; such transportation being for the purpose of sale, lease, tent, baitment, or in the furtherance of any commercial enterprise other than transportation.~~ provides transportation of property by motor vehicle, and is not a for-hire motor carrier. (49 CFR 390.5, October 1, 1989)

"Regional Director" means the Regional Director, Office of Motor Carrier Safety, for a given geographical region of the United States. (49 CFR 390.5, October 1, 1989)

"Regularly employed driver" means a driver who, in any period of seven consecutive days, is employed or used as a driver solely by a single motor carrier. (49 CFR 390.5, October 1, 1989)

"Residential district" means the territory adjacent to and including a highway which is not a business district and for a distance of 300 feet or more along the highway is primarily improved with residences. (49 CFR 390.5, October 1, 1989)

"School bus" means a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary of the United States Department of Transportation determines is likely to be significantly used for the purpose of transporting preprimary, primary or secondary school students to such schools from home or from such schools to home. (49 CFR 390.5, October 1, 1989)

"School bus operation" means the use of a school bus to transport only school children and school personnel from home to school and from school to home and for intrastate sanctioned school functions.

"Secretary" means the Secretary of the Illinois Department of Transportation.

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"Special agent" - See 49 CFR Appendix B to Subchapter B of Chapter III.

"State" means a state of the United States and the District of Columbia and includes a political subdivision of a state. (49 CFR 390.5, October 1, 1989)

"Trailer" includes"

"Full trailer" means any motor vehicle other than a pole trailer which is designed to be drawn by another motor vehicle and so constructed that no part of its weight, except for the towing device, rests upon the self-propelled towing unit. A semitrailer equipped with an auxiliary front axle (converter dolly) shall be considered a full trailer. (49 CFR 390.5, October 1, 1989)

"Pole trailer" means any motor vehicle which is designed to be drawn by another motor vehicle and attached to the towing vehicle by means of a "reach" or "pole," or by being "boomed" or otherwise secured to the towing vehicle, for transporting long or irregularly shaped loads such as poles, pipes, or structural members, which generally are capable of sustaining themselves as beams between the supporting connections. (49 CFR 390.5, October 1, 1989)

"Semitrailer" means any motor vehicle, other than a pole trailer, which is designed to be drawn by another motor vehicle and is constructed so that some part of its weight rests upon the self-propelled towing vehicle. (49 CFR 390.5, October 1, 1989)

"Truck" means any self-propelled motor vehicle except a truck tractor, designed and/or used for the transportation of property. (49 CFR 390.5, October 1, 1989)

"Truck tractor" means a self-propelled motor vehicle designed and/or used primarily for drawing other vehicles. (49 CFR 390.5, October 1, 1989)

"United States" means the 50 states and the District of Columbia. (49 CFR 390.5, October 1, 1989)

"US DOT" means the United States Department of Transportation.

(Amended at 15 Ill. Reg. _____, effective _____.)

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SUBPART B: GENERAL REQUIREMENTS AND INFORMATION

Section 390.2000 Incorporation by Reference of 49 CFR 390, Subpart B

- a) 49 CFR 390, Subpart B is hereby incorporated by reference as that Subpart of the FMCSR was in effect on October 1, 1989, subject only to the exceptions in subsection (b). No later amendments to or editions of 49 CFR 390, Subpart B are incorporated.
- b) The following interpretations of, additions to and deletions from 49 CFR 390, Subpart B shall apply for the purposes of this Subpart.
 - 1) 49 CFR 390.9 is deleted and not incorporated.
 - 2) Any reference to "this Part" in the incorporated material shall mean 92 Ill. Adm. Code 390.
 - 3) Any reference to "this Chapter" or "this Subchapter" in the incorporated material shall mean 92 Ill. Adm. Code: Chapter I, Subchapter d.
 - 4) Any reference to a section in the incorporated material shall be read to refer to that Section in the MCSR.
 - 5) Any reference to "Part 325 of Subchapter A" shall be read to refer to "Compliance with Interstate Motor Carrier Noise Emission Standards." (49 CFR 325, October 1, 1989)
 - 6) 49 CFR 390.23 applies only to commercial motor vehicles engaged in interstate commerce.

(Amended at 15 Ill. Reg. _____, effective _____.)

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- 1) Heading of Part: Parts and Accessories Necessary for Safe Operation

- 2) Code Citation: 92 Ill. Adm. Code 393

- 3) Section Numbers: Proposed Action:

393.2000

Amend

- 4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

- 5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to delete the date of incorporation by reference of 49 CFR 393 as of October 1, 1989 and insert in its place the date of October 1, 1990, the date of the CFR's latest publication.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit

DEPARTMENT OF TRANSPORTATION
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TITLE 92: TRANSPORTATION
CHAPTER 1: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

PART 393
PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

By Messenger or Inter-Agency Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to D.C.C.A.: 4-25-91
- B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.). This Part does not impose any additional burdens on small businesses.
- C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.
- D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendment begins on the next page:

Section 393.1000 General
393.2000 Incorporation by Reference of 49 CFR 393

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15537, effective September 10, 1990; as amended at 15 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 393.2000 Incorporation by Reference of 49 CFR 393

- a) "Parts and Accessories Necessary for Safe Operation" (49 CFR 393) is incorporated by reference as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 198990, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 393 are incorporated.
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.
- c) The following interpretations of, additions to, and deletions from 49 CFR 393 shall apply for purposes of this Part.
- 1) SECTION 393.93 SHALL NOT APPLY TO THOSE COMMERCIAL MOTOR VEHICLES ENGAGED IN INTRASTATE COMMERCE WHICH WERE MANUFACTURED BEFORE JUNE 30, 1972 (Section 18b-105(c)(1) of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 18b-105(c)(1))).
- 2) SECTION 393.86 SHALL NOT APPLY FOR THOSE VEHICLES REGISTERED AS FARM TRUCKS UNDER SECTION 3-815(c) OF THE ILLINOIS VEHICLE CODE (the Code) (Ill. Rev. Stat. 1989,

ch. 95 1/2, par. 3-815(c)) AND UTILIZED IN INTRASTATE COMMERCE
(Section 18b-105(c)(2) of the Law).

(Amended at 15 Ill. Reg. _____, effective _____.)

- 1) Heading of Part: Qualification of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 391
- 3) Section Numbers: Proposed Action:
391.2000 Amend
- 4) Statutory Authority: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).
- 5) A complete description of the subjects and issues involved:
By this Notice of Proposed Amendments, the Department proposes to delete the date of incorporation by reference of 49 CFR 391 as of October 1, 1989, as amended at 54 FR 40782, October 3, 1989; as amended at 54 FR 46616, November 6, 1989; as amended at 55 FR 3546, February 1, 1990, and insert in its place the date of October 1, 1990, the date of the CFR's latest publication.

This rulemaking corrects errors at Sections 391.2000(c)(7), (8) and (9).

The Department also proposes to add a definition of "Reportable Accident" as it applies to Subpart H of Part 391 at Section 391.2000(c)(14). This definition was taken from 49 CFR 394.3.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This Part does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail:

Mr. Tom Crawford, Manager
Regulations and Training Unit
DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to D.C.C.A.: 4-25-91
- B) Types of small businesses affected: This Part applies to small businesses that operate vehicles subject to Sections 18b-100 et seq. of the Illinois Motor Carrier Safety Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.). This Part does not impose any additional burdens on small businesses.
- C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

- D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
 CHAPTER I: DEPARTMENT OF TRANSPORTATION
 SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 391

QUALIFICATION OF DRIVERS

Section
 391.1000 General
 391.2000 Incorporation by Reference of 49 CFR 391

AUTHORITY: Implementing Sections 18b-100 et seq. and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18b-100 et seq.).

SOURCE: Adopted at 14 Ill. Reg. 15560, effective September 10, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 391.2000 Incorporation by Reference of 49 CFR 391

- a) The Department hereby incorporates 49 CFR 391 by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1990, ~~as amended at 54 FR 40782, October 3, 1989, as amended at 54 FR 46616, November 6, 1989, as amended at 55 FR 3546, February 1, 1990~~, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 391 are incorporated.

- b) References to subchapters, parts, subparts, section or paragraphs shall be read to refer to the appropriate citation in 49 CFR 391.

- c) The following interpretations of, additions to and deletions from 49 CFR 391 shall apply for purposes of this Part.

- 1) Section 391.11(b)(1) does not apply to the operator of a commercial motor vehicle used in intrastate commerce.
- 2) Sections 391.41(b)(3) and (b)(10) do not apply to the operator of a commercial motor vehicle used in intrastate transportation, unless such driver has a record of accidents which would indicate a lack of ability to operate a vehicle in a safe manner, provided the operator, immediately prior to July 29, 1986, was eligible and licensed to operate a commercial motor vehicle; was engaged in operating such

DEPARTMENT OF TRANSPORTATION

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vehicle; became disqualified through the adoption of 49 CFR 391 on July 29, 1986, by reason of the application of sections 391.41(b)(3) or (b)(10) with respect to physical conditions existing at that time.

- 3) Section 391.43 is amended to add paragraph 391.43(f)(4) which reads as follows:

If a medical examiner determines that the driver is qualified to drive only in intrastate transportation due to the application of the provisions of Section 391.2000(c)(2) above, the following shall appear on the medical examiner's certificate: "Qualified only for intrastate transportation in Illinois."

- 4) Section 391.69 is deleted and not incorporated.

- 5) Section 391.83(a) is modified to cause 49 CFR 391, Subpart H to apply to motor carriers and persons who operate a commercial motor vehicle, as defined in subsection (c)(6) in either interstate or intrastate commerce.

- 6) For the purposes of the application of 49 CFR 391, Subpart H, the definition of "Commercial Motor Vehicle" in Section 391.85 is not incorporated and the following definition is provided: "Commercial Motor Vehicle" means any vehicle operated in intrastate commerce for the transportation of property in any commercial enterprise, for-hire or not-for-hire, with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more; or any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

- A) The vehicle has a gross vehicle weight rating or gross combination weight rating or gross combination weight rating of 26,0001 or more pounds; or
- B) The vehicle is designed to transport more than 15 passengers, including the driver; or
- C) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the provisions of the Illinois Hazardous Materials Transportation Regulations (92 Ill. Adm. Code: Chapter I, Subchapter c).

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- 7) Section 391.87(~~4c~~)(2) is not incorporated and the following substituted therefor:
 A motor carrier shall notify:
 A driver of the results of a periodic or post-accident controlled substance test conducted under 49 CFR, Subpart H, provided the results were positive. The driver will also be advised of what drug was discovered.
- 8) Section 391.87(~~4g~~) is not incorporated and the following substituted therefor:
 A motor carrier shall produce upon demand and shall permit the Illinois Department of Transportation or Administrator of the US DOT to examine all records related to the administration and results of controlled substance testing performed under this Part.
- 9) Section 391.87(~~4h~~)(2) is not incorporated and the following substituted therefor:
 The summary shall include at a minimum:
 The number of controlled substance tests administered in each category (i.e., prequalification, periodic and reasonable cause).
- 10) The schedule established in Sections 391.93(b) and (c) for implementation of a controlled substance testing program is modified as follows:
- A) The provisions of Section 391.93(b) apply only to motor carriers and operators of commercial motor vehicles engaged in interstate commerce.
- B) The provisions of Section 391.93(c) apply only to motor carriers and operators of commercial vehicles engaged in interstate commerce.
- C) Motor carriers subject to the provisions of Sections 391.93(b) and (c) shall include any driver who operates a commercial motor vehicle in interstate commerce in the carrier's controlled substance testing program not later than December 21, 1990. (49 CFR 391.93)
- D) Part 391, Subpart H shall apply to motor carriers

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- and drivers who operate commercial motor vehicles only in intrastate commerce effective December 21, 1990. (49 CFR 391.93)
- 11) Section 391.109 is deleted and not incorporated. ~~(54 FR 46416, effective November 6, 1989)~~
- 12) Section 391.111 is deleted and not incorporated. ~~(54 FR 46416, effective November 6, 1989)~~
- 13) Section 391.113(a) is not incorporated and the following substituted therefor: A motor carrier shall require a driver to be tested for the use of controlled substances as soon as possible after a reportable accident but in no case later than 32 hours after the accident when:
- A) There is any reasonable suspicion of drug usage;
- B) There is any reasonable cause to believe a driver has been operating a vehicle under the influence of drugs; or
- C) There is reasonable cause to believe the driver was at fault in the accident and that drug usage may have been a factor. (Section 391.85 of the FMCSR defines reasonable cause to mean that the motor carrier believes the actions or appearance or conduct of a commercial motor vehicle driver on duty are indicative of the use of a controlled substance.)
- 14) For the purposes of this Part, the term "Reportable Accident" means an occurrence involving a commercial motor vehicle resulting in:
- The death of a human being; or
 Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 The total damage to all property aggregating \$4,400 or more based upon actual costs or reliable estimates.
 The term "reportable accident" does not include:
 An occurrence involving only boarding and alighting from a stationary motor vehicle; or
 An occurrence involving only the loading or unloading of cargo; or

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An occurrence in the course of farm-to-market agricultural transportation (as defined in 92 Ill. Adm. Code 390.5) by the motor carrier; or
 An occurrence in the course of the operation of a passenger car by a motor carrier and which is not transporting passengers for hire or hazardous materials of a type and quantity that requires the vehicle to be marked or placarded in accordance with 92 Ill. Adm. Code 177 (49 CFR 394.3, October 1, 1990)

(Amended at 15 Ill. Reg. _____, effective _____.)

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Operating Procedures for the Administration of Non-Federal Grant Funds
- 2) Code Citation: 20 Ill. Adm. Code 1560
- 3) Section Numbers:

1560.10	<u>Adopted Action:</u>
1560.20	New Section
1560.30	New Section
1560.40	New Section
1560.50	New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 38, pars. 210-1 et seq.
- 5) Effective Date of Rules: April 25, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rulemaking contain an incorporation by reference? No.
- 8) Date Filed in Agency's Principal Office: March 27, 1991
- 9) Notice of Proposed Rule Published in Register:
June 8, 1990; 14 Ill. Reg. 8800
- 10) Has ICAR issued a Statement of Objection to these Rules? No.
- 11) Differences between proposed and final version:
 Inserted the name of the Act "the Illinois Criminal Justice Information Act" in the Authority note.
 Updated all statutory references in this rulemaking to Ill. Rev. Stat. 1989.
 Changed "will" to "shall" in Section 1560.30(a), first sentence.
 Deleted the third sentence in 1560.40(c), which stated "Such consent shall be granted if the nonconformance for which performance of the agreement was suspended can be corrected within such extension period and such correction would result in fulfillment of the terms of the agreement."
 Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement

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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER III: ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

PART 1560

OPERATING PROCEDURES FOR THE ADMINISTRATION OF NON-FEDERAL GRANT FUNDS

Section	Purpose and Authorization
1560.10	Definitions
1560.20	Application and Receipt of Non-Federal Grant Funds
1560.30	Administration of Non-Federal Grant Funds
1560.40	Appeals

AUTHORITY: Implementing and authorized by the Illinois Criminal Justice Information Act (Ill. Rev. Stat. 1989, ch. 38, par. 210-1 et seq.).

SOURCE: Adopted at 15 Ill. Reg. 7034, effective April 25, 1991.

Section 1560.10 Purpose and Authorization

The Illinois Criminal Justice Information Authority (Authority) establishes this Part to exercise its responsibility to apply for, receive, establish priorities for, allocate, disburse and spend grant funds that are made available by private sources... (Ill. Rev. Stat. 1989, ch. 38, par. 210-7(k)), to receive, expend and account for such funds of the State of Illinois as may be made available to further the purposes of this Act... (Ill. Rev. Stat. 1989, ch. 38, par. 210-7(l)), to enter into contracts and to cooperate with units of general local government or combinations of such units, state agencies, and criminal justice system agencies of other states for the purpose of carrying out the duties of the authority imposed by this Act... (Ill. Rev. Stat. 1989, ch. 38, par. 210-7(m)), to enter into contracts and cooperate with units or general local government outside of Illinois, other states' agencies, and private organizations outside of Illinois to provide computer software or design that has been developed for the Illinois Criminal Justice System, or to participate in the cooperative development or design of new software or systems to be used by the Illinois Criminal Justice System... (Ill. Rev. Stat. 1989, ch. 38, par. 210-7 (n)) and to establish general policies concerning criminal justice information systems and to promulgate such rules, regulations and procedures as are necessary to the operation of the Authority... (Ill. Rev. Stat. 1989, ch. 38, par. 210-7 (o)).

Section 1560.20 Definitions

"Adverse Action" - The term "adverse action" means any or all of the following with respect to non-federal grant funds administered by the Authority:

The suspension by the Executive Director of the performance of an

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letter issued by ICAR? Yes.

- 13) Will this rule replace an emergency rule currently in effect? No.
- 14) Are there any Amendments pending on this part? No.
- 15) Summary and Purpose of Rules: These rules establish operating procedures for the application, receipt and administration of non-federal grant funds by the Illinois Criminal Justice Information Authority and for appeals taken therefrom.
- 16) Information and questions regarding these adopted rules shall be directed to:

Robert P. Boehmer
Legal Advisor
Illinois Criminal Justice Information Authority
120 South Riverside Plaza
Chicago, Illinois 60606
(312/793-8550)

The full text of the adopted rules begins on the next page:

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interagency agreement for more than twenty-eight (28) days aggregated within a twelve month period, exclusive of any period of extension that may be granted under Section 1560.40.

The termination of an interagency agreement by the Executive Director.

The denial by the Executive Director of a request for a material revision to an interagency agreement.

"Budget Committee" - The term "Budget Committee" means the Budget Committee of the Authority as empowered by the Organizational Rules of the Illinois Criminal Justice Information Authority (2 Ill. Adm. Code 1750.340).

"Executive Director" - The term "Executive Director" means the Executive Director of the Authority (Ill. Rev. Stat. 1989, ch. 38, par. 210-6 and 2 Ill. Adm. Code 1750.350).

"Grantor" - The term "grantor" means any entity that provides the non-federal grant funds to the Authority.

"Interagency Agreement" - The term "interagency agreement" means a contract between the Authority and a state agency, unit of local government, or a private organization whereby the Authority provides non-federal grant funds to carry out specified programs, services or activities.

"Implementing Agency" - The term "implementing agency" means any party, including the Authority, designated to receive funds administered by the Authority pursuant to these rules.

Section 1560.30 Application and Receipt of Non-Federal Grant Funds

a) The authority shall review the funding purposes set forth by the grantor and invite state agencies, units of local government, and private organizations to submit recommendations for implementing such purposes. Based on the specified purposes of the funds and the needs and recommendations of units of local government and private organizations, the Authority shall select funding priorities at a public meeting in conformance with the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 41 et seq.) and the Authority's rules (2 Ill. Adm. Code 1750.310 et seq.).

b) Based upon the funding priorities selected by the Authority pursuant to subsection (a) above, the Executive Director shall use the following evaluation criteria to identify those state agencies, units of local government and private organizations eligible for non-federal grant funding:

1) an analysis of need as evidenced by demographic, criminal justice

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and other data relevant to the purposes set forth by the grantor and resources already available to address that need:

- 2) comments from the public and state and local officials and private organizations
- 3) current research findings based on data relating to the purposes set forth by the grantor.

A state agency, unit of local government or a private organization, so identified, shall be contacted by the Executive Director to assess its interest in and ability to qualify for the funds pursuant to the requirements of the grantor and, if so interested and so qualified, to prepare a program description that identifies the problem to be addressed, states goals and objectives, and indicates the means by which the state agency, unit of local government or private organization proposes to achieve those objectives. A state agency, unit of local government or private organization not so identified by the Executive Director shall, upon written request to the Executive Director, be included among those state agencies, units of local government and private organizations evaluated by the Executive Director pursuant to the criteria described herein.

c) The Budget Committee shall, at a public meeting, designate programs, implementing agencies and amounts for funding which address one or more of the purposes specified by the Authority in subsection (a) above consistent with the conditions of the grant award. The Budget Committee's decision to designate these programs, implementing agencies, and fund amounts shall be based upon equal consideration of the following factors:

- 1) the recommendations of the Executive Director made pursuant to subsection (b) above;
- 2) comments from the public, state and local officials and private organizations;
- 3) the proven effectiveness of a program, by making a prudent assessment of the problem to be addressed by a proposed program;
- 4) the likelihood that a program will achieve the desired objectives, by making a prudent assessment of the concepts and implementation plans included in a proposed program and by the results of any evaluations of previous tests or demonstrations;
- 5) the availability of funds;
- 6) the overall cost of the program; and
- 7) the ability to continue with the program once grant funds are no longer available.

d) The Executive Director shall enter into interagency agreements with those implementing agencies designated by the Budget Committee pursuant to subsection (c) above, specifying the terms and conditions under which the programs, services, or activities are to be conducted and the non-federal grant funds are to be received. If the Authority is the designated implementing agency, then the Executive Director shall document such terms and conditions which, to become effective, must be accepted in writing by the Chairman of the Authority. The terms and conditions shall include but not be limited to reporting

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requirements that reflect fiscal expenditures and progress toward program objectives, compliance with applicable laws and regulations, the prohibition of subcontracting or assignment of agreements without prior written approval of the Authority, and the status of the implementing Agency as an independent contractor.

Section 1560.40 Administration of Non-Federal Grant Funds

- a) All implementing agencies shall operate in conformance with the following state laws, when applicable, hereby incorporated by reference: the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, pars. 2301 et seq.); the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, pars. 132 et seq.); and the State Comptroller Act (Ill. Rev. Stat. 1989, ch. 15, pars. 201 et seq.). The laws and rules incorporated by reference in this subsection do not include any subsequent amendments or editions. The Authority shall maintain a copy of said incorporated materials and shall make them available for public inspection or copying upon request at no more than cost.

- b) Notwithstanding subsection (c) below, the Executive Director shall suspend performance of any interagency agreement for a period not to exceed 28 days where there has been a determination of nonconformance with any federal or state law or rule, such laws specified in subsection (a) above, or the terms or conditions of the agreement. The Executive Director shall reinstate performance of an agreement that has been so suspended if the nonconformance is corrected within twenty-eight (28) days from the date of suspension. However, notwithstanding subsection (c) below, an interagency agreement, for which performance has been suspended, shall be terminated by the Executive Director if performance of the interagency agreement is not reinstated within twenty-eight (28) days from its suspension. Written notice of all such actions by the Executive Director shall be submitted to the implementing agency and members of the Budget Committee as soon as possible, but within five (5) working days.

- c) Upon the request of an implementing agency, the Executive Director shall extend the length of time performance of an interagency agreement may be suspended beyond twenty-eight (28) days for an additional period not to exceed fourteen (14) days, if the nonconformance for which the performance of the agreement was suspended can be corrected within such extension period and such correction would result in fulfillment of the terms of the agreement. Such an extension shall be granted by the Executive Director only with the consent of the Chairman of the Budget Committee or in the event the Chairman of the Budget Committee is unavailable for consultation, the Executive Director pursuant to this subsection is initiated by the implementing agency, it shall not be deemed an adverse action under these rules. However, an interagency agreement, for which the period of suspended performance has been extended pursuant to this

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subsection, shall be terminated by the Executive Director if performance of the interagency agreement has not been reinstated by the Executive Director before the extension period has expired. Such termination may then be appealed as provided by Section 1560.60. Written notice of all such action by the Executive Director shall be submitted to the implementing agency and members of the Budget Committee as soon as possible, but within (5) working days.

- d) The Executive Director shall immediately terminate any interagency agreement for any reason of nonconformance specified in subsection (b) above, if performance of the agreement has been suspended on at least one prior occasion or if such nonconformance cannot be corrected by the implementing agency in less than twenty-eight (28) days from the date of termination. Written notice of such termination by the Executive Director shall be submitted to the implementing agency and members of the Budget Committee as soon as possible, but within five (5) working days.

- e) The Executive Director shall approve any revision to an interagency agreement if such action is necessary to fulfill the terms of the agreement. Material revisions shall be reported to the Budget Committee members at or before the next Budget Committee meeting. However, if a request by an implementing agency for a material revision to an interagency agreement is denied by the Executive Director, written notice of such denial shall be submitted to the implementing agency and members of the Budget Committee as soon as possible, but within five (5) working days.

Section 1560.50 Appeals

- a) The appeals procedures for this Part are subject to provisions of Sections 10 through 15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, par. 1010-1015).

- b) An implementing agency may appeal any adverse action of the Executive Director by writing to the Budget Committee within fourteen (14) days from the day the notice of adverse action is mailed to the implementing agency. This written appeal shall contain specific reasons stating why the adverse action taken by the Executive Director should be modified and the action requested of the Budget Committee and shall be signed by the implementing agency's authorized official. If no timely appeal is taken from an adverse action, such action of the Executive Director will be deemed the final action of the Budget Committee, and Authority members shall be notified within five (5) business days or before the next Authority meeting, whichever is sooner -- by phone, mail or written equivalent -- of the action of the Executive Director.

- d) When an appeal is timely filed, the Chairman of the Budget Committee shall arrange for the Committee to hear and decide the appeal within forty-nine (49) days of the receipt of the written appeal. The implementing agency shall have the right to appear before the Committee and to be represented at the hearing by counsel and shall be

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notified of the hearing date at least seven (7) days prior to the hearing.

- a) At the hearing, the Budget Committee shall consider the written appeal to the adverse action submitted pursuant to subsection (b), any written response to that appeal by Authority staff, and any testimony given by the implementing agency or Authority staff to questions posed by Committee members.

- b) The Budget Committee shall render a decision on the appeal before adjourning the hearing.

- c) In accordance with the Organizational Rules of the Illinois Criminal Justice Information Authority (2 Ill. Adm. Code 1750.342), Authority members shall be notified within five (5) business days or before the next Authority meeting whichever is sooner -- by phone, mail or written equivalent -- of all appeal decisions made by the Budget Committee. Within ten (10) business days of receipt of such information, a special meeting of the Authority shall be convened upon signed request of five (5) Authority members, for the purpose of fully discussing such action taken by the Budget Committee and to supersede the authorization granted to that Committee to act upon the Authority's behalf in any particular appeal. If no action is taken by the Authority, the decision of the Budget Committee shall be deemed the final action of the Authority. Such meetings shall be conducted in conformance with the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 41 et seq.) and the Authority's rules (2 Ill. Adm. Code 1750.310 et seq.).

ILLINOIS REGISTER

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances

- 2) Code Citation: 41 Ill. Adm. Code 170

- 3) Section Numbers: Adopted Action:

170.310
Amendment

- 4) Statutory Authority: Implementing and authorized by Section 2 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1989, ch. 127 1/2, par. 154).

- 5) Effective Date of Amendment: April 29, 1991

- 6) Does this rulemaking contain an automatic repeal date?

Yes No X

If so, please specify date:

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: April 29, 1991

- 9) Notice of Proposal Published in Illinois Register:

August 3, 1990, 14 Ill. Reg. 12373
(issue date)

- 10) Has JCRC issued a Statement of Objections to these amendments? No
If answer is "yes", please complete the following:

a) Statement of Objection: (issue date) , Ill. Reg.

b) Agency Response: (issue date) , Ill. Reg.

c) Date Agency Response Submitted for Approval to JCRC:

11) Differences between proposal and final version:

1. A period was inserted at the end of the Authority Section.
2. In "(4)(A (iii))" and "(4)(B)(iv))" the word "of" was changed to "and", in Section 170.310(a)(3)(F).

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3. The term "Master Electrical Shut-off" in Section 170.310(a)(3)(G) was capitalized.
4. In Sections 170.310(a)(4)(A)(ii) and (B)(iii) the word "meets" was changed to "meet".
5. The spelling of "enclosures" in Section 170.310(a)(4)(B)(v) was corrected.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these rules replace an emergency rules currently in effect? No

14) Are there any rules pending on this Part? No
Section Numbers Proposed Action Illinois Register Citation

15) Summary and Purpose of Rules:

To allow the use of additional options for unattended self service motor vehicle fueling.

16) Information and questions regarding these adopted amendment shall be directed to:

Jack Ahern, Deputy State Fire Marshal
Division of Fire Prevention
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, IL 62703-4259
(217) 785-4714 or (217) 785-4715

Full text of the adopted amendments begins on next page.

OFFICE OF THE STATE FIRE MARSHAL
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TITLE 41: FIRE PROTECTION
CHAPTER 1: OFFICE OF THE STATE FIRE MARSHAL

PART 170

STORAGE, TRANSPORTATION, SALE AND USE OF
PETROLEUM AND OTHER
REGULATED SUBSTANCES

SUBPART A: MISCELLANEOUS

Section	
170.10	Definitions
170.11	Incorporation of National Standards
170.15	Bulk Sales Prohibited
170.20	Storage Underground and Limited
170.30	Setting of Tanks (Repealed)
170.40	Clearance Required for Underground Tanks
170.41	Location
170.50	Material and Construction of Tanks
170.60	Venting of Tanks
170.65	Underground Tank Installations
170.70	Fill Pipes
170.71	Registration of Underground Storage Tanks and Payment of Annual Fee
170.72	Late Registration Fee
170.73	Access to the Underground Storage Tank Fund (Emergency Expired)
170.75	Abandonment of Underground Storage Tanks (Renumbered)
170.76	Leaking Underground Tanks
170.80	Unloading Operations
170.90	Pumps
170.91	Labeling of Containers and Pumps
170.100	Piping
170.105	Approval of Plans
170.106	Installer, Repairer or Remover of Underground Storage Tanks
170.107	Tester of Underground Storage Tanks and Cathodic Protection
170.108	Pressure Testing
170.110	Building
170.115	Safe Heat Required
170.120	No Flammable or Combustible Liquids Within Building - Exception
170.130	Greasing Pits
170.140	Wash and Greasing Rooms
170.145	Fire Extinguishers
170.150	Self-Service - No Self-Service Without Permit; Procedures and Regulations
170.160	Care and Attendance
170.170	Fire Extinguishers (Repealed)
170.180	Sale of Fireworks
170.190	Approval of Plans (Repealed)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

- 170.200 Defective Equipment
- 170.210 Deliveries from Portable Tanks Restricted
- 170.310 Unattended Self-Service Other Than Fleet Operations

SUBPART B: UNDERGROUND STORAGE TANKS -- TECHNICAL REQUIREMENTS

- 170.400 Definitions
- 170.410 Incorporations by Reference
- 170.420 Design, Construction, Installation and Notification of New UST Systems
- 170.430 Upgrading of Existing UST Systems
- 170.440 Notification Requirements
- 170.450 Spill and Overfill Control
- 170.460 Operation and Maintenance of Corrosion Protection
- 170.470 Compatibility
- 170.480 Repairs Allowed
- 170.490 Reporting and Recordkeeping
- 170.500 General Release Detection Requirements for All UST Systems
- 170.510 Release Detection Requirements for Petroleum UST Systems
- 170.520 Release Detection Requirements for Hazardous Substance UST Systems
- 170.530 Methods of Release Detection for Tanks
- 170.540 Methods of Release Detection for Piping
- 170.550 Release Detection Recordkeeping
- 170.560 Reporting of Suspected Releases
- 170.570 Investigation Due to Off-Site Impacts
- 170.580 Release Investigation and Confirmation Steps
- 170.590 Reporting and Cleanup of Spills and Overfills
- 170.600 Initial Response for UST Systems Containing Petroleum of Hazardous Substances
- 170.610 Initial Abatement Measures and Site Check
- 170.620 Temporary Closure of Out-of-Service UST Systems
- 170.630 Change-in-Service of UST Systems
- 170.640 Assessing the Site at Removal or Change-in-Service of UST Systems
- 170.650 Applicability to Previously Removed UST Systems
- 170.660 Removal or Change-in-Service Records
- 170.670 Abandonment or Removal of Underground Storage Tanks

SUBPART C: UNDERGROUND STORAGE TANKS---FINANCIAL RESPONSIBILITY REQUIREMENTS

- 170.700 Incorporation by Reference

TABLE A SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

TABLE B MANUAL TANK GAUGING: WEEKLY AND MONTHLY STANDARDS

AUTHORITY: Implementing and authorized by Section 2 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1989, ch. 127 1/2, par. 154).

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

SOURCE: Rules and Regulations Relating to Service Stations filed July 10, 1958; amended March 6, 1963 and April 4, 1977; codified at 5 Ill. Reg. 10692; emergency amendment at 7 Ill. Reg. 1477, effective January 26, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 10058, effective June 29, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 9514, effective October 1, 1985; emergency amendment at 10 Ill. Reg. 345, effective January 1, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 12324, effective July 2, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 19976, effective January 5, 1987; amended at 12 Ill. Reg. 8023, effective April 26, 1988; emergency amendments at 13 Ill. Reg. 1886, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989; amended at 13 Ill. Reg. 5669, effective April 21, 1989; amended at 13 Ill. Reg. 7744, effective May 9, 1989; amended at 13 Ill. Reg. 8515, effective May 23, 1989; amended at 13 Ill. Reg. 8875, effective May 24, 1989; amended at 13 Ill. Reg. 14992, effective September 11, 1989; amended at 14 Ill. Reg. 5781, effective April 10, 1990; amended at 15 Ill. Reg. 7042, effective April 29, 1991.

Section 170.310 Unattended Self-Service Other Than Fleet Operations

Service stations which allow or permit the fueling of motor vehicles with Class I, II, or III liquids, by persons other than an owner or employee, without the presence of an attendant are allowed only at locations which have a valid "Unattended Self-Service Permit" issued by the Office. Unattended "Self Service Permits" shall be issued for one year initially, and renewals shall be issued for two year intervals thereafter. "Unattended Self-Service Permits" shall not be issued to locations in counties with more than 1,000,000 in population. If a service station is to be operated as an unattended station during any portion of a day it will be deemed as requiring a permit for unattended operation and must meet such standards. Plans of the premises shall be submitted as required by Section 170.105.

a) Equipment required for an unattended self-service permit:

- 1) Dispenser control device (actuators and monitors) for use by customers to activate dispensing equipment.
 - A) Devices may use currency, coins, keys or cards to activate dispenser and pumps. ~~Coin-or-currency-activated-devices shall-not-be-permitted.~~
 - B) Card devices shall use magnetically coded, optically read or inductive coil cards to be inserted in a device to activate the pump.
 - C) All dispenser control devices must meet the standards of UL 1238 (1978) and shall be installed and maintained in accordance with the manufacturer's instructions. All wiring shall comply with NFPA 70 (1984), Chapter 5.

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- D) Motors of pumps to dispensing devices shall not have electrical current supplied to them unless and until the dispensing device is activated by ~~the insertion of the~~ ~~card-or-key device~~. The electric current to the motors of the pumps shall automatically terminate and not more than three (3) minutes after the flow of product has ceased. Electrical current to the pump motors shall be off at all other times.
- 2) Dispensing devices, remote pumps and hose nozzle valves must comply with this Part, and the following rules:
- A) Hose nozzles must meet the standards of UL 842 (1980) and:
- i) Nozzles must be equipped with devices (e.g. wire or a spout anchor spring) designed to retain the nozzle spout in the vehicle fill pipe while refueling. Such devices must be in compliance with (UL) Standard 842 (1980), or be approved by Factory Mutual, as part of the nozzle assembly. The spout anchor spring shall be of the type recommended by the manufacturer of the hose nozzle valve and be installed and maintained in accordance with the manufacturer's recommendations.
 - ii) An automatic self-closing type nozzle with a latch hold open device must be installed as an integral part of the nozzle assembly, and must meet UL 842 (1980).
 - iii) Hose nozzle valves shall be of the type which will close automatically, independent of the latch-open device, upon loss of pressure in the dispensing system and in which the latch-open device may only be engaged when the dispensing system is under pressure.
 - iv) The nozzle must be designed and maintained to cease the flow of product if the nozzle falls from the fill pipe of the motor vehicle being fueled to the ground, as described in UL 842 (1980) Section 15.
- B) Remote pumps serving dispensing devices shall meet the standards of UL 79 (1981) and shall be equipped with a leak detection device in accordance with paragraph 4-3.3 of NFPA 30A (1984) and shall be installed and maintained in accordance with the manufacturer's instructions.

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- C) Dispensing devices shall meet the standards of UL 87 (1982) and the following rules:
- i) Devices shall be equipped with a secondary control means in accordance with Paragraph 4-2.3 of NFPA 30A (1984).
 - ii) Devices served by remote pumps shall be equipped with an emergency shut-off valve meeting the standards of UL 842 (1980) and which shall comply with paragraph 4-3.6 of NFPA 30A (1984).
 - iii) Devices shall be mounted or protected against collision damage by means of islands, posts or an equivalent means.
 - iv) Dispensing devices shall be bolted to their mounting surface in accordance with the manufacturer's instructions.
 - v) Devices shall be wired in accordance with Chapter 5 of NFPA 70 (1984) and shall be installed and maintained in accordance with the manufacturer's instructions.
 - vi) An emergency breakaway device shall be installed on each hose at all dispensing devices available for self service of Class I, II and III liquids. The breakaway device shall be designed to retain liquid on both sides of the breakway point, and shall be installed and maintained in accordance with the manufacturer's recommendations.
- 3) Emergency Electrical Controls shall be provided and shall comply with the following rules:
- A) A Master Electrical shut-off switch or circuit breaker shall be provided at a location not less than 20 feet from the nearest nor more than 100 feet from the farthest dispensing device for unattended self-service and shall:
 - i) Be visible from all unattended self-service dispensing device locations on the premises. If installation of a single switch or circuit breaker does not achieve compliance with this visibility requirement, duplicate switches or circuit breakers shall be required by the Office to achieve compliance.

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- ii) Terminate electric power to all dispensers, pumps and dispenser control devices on the premises, including neutral conductors and low voltage control wiring.

iii) Be of such a type or installed in such a way, that it may only be reset manually with a key which shall be kept in the custody of the unattended self-service station owner or an employee of the owner or, alternatively, the resetting device shall be kept in a secured area accessible only by key or other device which is kept solely in the custody of the owner or employee of the owner. (Club members, card holders and other persons utilizing the station may not have access to the mechanism necessary to the resetting of the master electrical control).

- B) In addition to the Master Electrical Shut-off required in subsection (a)(3)(A) above, additional emergency electrical controls shall be provided at each group of dispensers or pumps served by a single dispenser control device. Such additional controls may, at the option of the owner be an integral part of the dispenser control device assembly. The device shall, when activated, terminate all electrical power to all dispensing devices or pumps which are served by that dispenser control device. Stations with only one island may elect to utilize only a master electrical control located at the dispenser control device meeting the requirements of subsection (a)(3)(A), above.

- C) The emergency electrical controls required by this section shall, at all times, be identified by a sign constructed of all weather material which shall state, in letters not less than 1" in height, "EMERGENCY SHUT OFF SWITCH". Lettering shall contrast with the background material of the sign. The sign shall be mounted in place with the bottom of the sign not less than five (5) feet above the ground.

- D) Resetting the Master Electrical Shut-off required by this section shall be accomplished only after the condition which caused it to be activated has been corrected.

- E) Power for illumination of dispensing areas required by this Section shall not be affected by activation of any of the Emergency Electrical Controls.

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- F) Activation of a Master Electrical Shut-off shall transmit an alarm as required in subsection (4)(A)(iii) and subsection (4)(B)(iv), below.

- G) A sign shall be placed at or near the Master Electrical Shut-Off stating that activation of the Master Electrical Shut-Off "transmits a fire alarm to the fire department".

- 4) Fire detection, control and suppression equipment must meet either A or B of the following (note: local governments cities and villages may require option A or option B ~~7-2-fixed-fire suppression-system~~):

- A) Unattended dispensing areas for Class I, II and III liquid motor fuels utilizing this option shall be protected by an automatic fire suppression system(s) meeting the standards of UL (1985), UL 300 A (1982) and NFPA 17 (1985) and which shall:

- i) automatically activate the Master Electrical shut-off.
- ii) sound a local alarm notification device audible throughout the dispensing area and meet the standards of NFPA 72G (1985).
- iii) automatically transmit an alarm signal to the fire department which provides fire protection service to the service station property. The method of alarm transmission to the fire department shall meet the standards of one of the following: NFPA 71 (1985); NFPA 72B (1979); NFPA 72C (1985); or, NFPA 72D (1979).

- iv) If a fire suppression system meeting these requirements is installed, no fire extinguishers are required.

- v) in the event of a system discharge, not be returned to service until the suppression system is recharged and fully operational in the area protected by the system.

- vi) Suppression system design shall include extinguishing agent discharge nozzles mounted above dispensers, and at or near ground level to discharge agent underneath vehicles being fueled. Suppression systems that are not listed by UL for ground level

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discharge shall have ground level discharge nozzles installed by January 1, 1987; overhead nozzles shall be installed prior to issuance of a permit.

- B) Unattended dispensing areas for Class I, II and III motor vehicle fuels electing this option shall have a fire detection system located under a weather enclosure (canopy) and hand held portable fire extinguishers which shall:

i) Detect a fire in the dispensing area through the use of rate compensation, rate of rise or flame sensing detectors, and the installation must meet the requirements of NFPA 72E (1982); and

ii) automatically activate the Master Electrical shut-off.

iii) sound a local alarm notification device audible throughout the dispensing area and meet the standards of NFPA 72G (1985).

iv) automatically transmit an alarm signal to the fire department which provides fire protection service to the service station property. The method of alarm transmission to the fire department shall meet the standards of one of the following: NFPA 71 (1985); NFPA 72B (1979); NFPA 72C (1985); or, NFPA 72D (1979).

v) If an automatic fire suppression system is not installed, fire extinguishers meeting the requirements of Section 170.145 shall be installed and maintained at each island and at the master electrical shut-off. Cabinets, or other enclosures for extinguishers, shall not require breaking of glass, or other act(s) which could injure users attempting to access the extinguishers; doors, panels and local alarm systems may be provided at the owner's option.

- 5) At all times instructions shall be posted in all weather materials by each actuator. These instructions shall be mounted not less than four feet nor more than six feet six inches from the bottom of the sign to the ground, and give the following information in letters not less than 1" in height:

A) No smoking

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B) Turn off engine

C) Containers for gasoline must be red.

D) Containers for kerosene must be blue. It is dangerous and unlawful to fill unapproved containers with gasoline, diesel or kerosene. All containers must be metal or stamped with the marking "Conforms to or meets ANSI/ASTM D3435-83", or "UL" or "FM".

E) In case of fire or spill use emergency shut-off (or stop) button located at (owner must insert the locations of the emergency shut-offs); Master Electrical Shut-off transmits fire alarm to fire department.

b) Inventory records must be maintained and available for inspection by personnel of the Office. Applications for unattended self-service shall contain the name(s), address(es) and telephone number(s) of the person(s) the Office can contact for the inventory Emergency reconciliations.

1) Emergency reconciliations shall be available on two hours notice by telephone or in person.

2) Records must be maintained showing the date, time of purchase (or delivery), amount of product, type of product, and name (or account number which can identify a name) for other than coin and currency sales for each purchase or delivery of product. Records must be maintained for one year, and be available in the same manner as inventory records. These records may be maintained electromagnetically, provided that the owner or operator can provide a printout when requested.

c) Dispensing devices or actuators must limit the delivery of product in such a manner as to require the reactivation of the latch open (hold-open) device to the following:

1) Motor vehicle fuels (Class I, II and III)---~~maximum 20 gallons of fuel;~~

A) Class I liquids (gasoline, gasahol, ethanol, motor fuel blends) - ~~maximum 50 gallons.~~

B) Class II and III liquids (diesel fuel) - maximum 250 gallons.

2) Kerosene (grade K-1 only) - 6 gallons.

- d) 3) Other Class I, II and III liquids - 6 gallons.
- e) When kerosene is to be dispensed at unattended service stations, only grade K-1 kerosene shall be dispensed. All dispensing shall be from underground tanks. Kerosene dispensers shall not be located on the same island with other Class I, II or III liquids. Labeling of dispensers shall comply with the Space Heating Safety Act (Ill. Rev. Stat. 1989, ch. 127 1/2, par. 701 et. seq.).
- e) The Office of the State Fire Marshal shall, for failure to comply with these rules, for violation thereof, or for violation of any applicable federal, state or local laws, statutes, ordinances, rules or regulations, refuse to issue, refuse to renew or suspend or revoke a self-service station permit. The Office of the State Fire Marshal shall revoke such permit for flagrant, repeated and/or serious violations of these rules. The Office of the State Fire Marshal shall serve notice of such refusal, suspension or revocation on the applicant for or holder of such permit by personal service or by certified or registered mail. The applicant for or holder of such permit, may within 10 days after notice of such refusal, suspension or revocation is served, file in the Office of the State Fire Marshal written request for a hearing. Such hearings shall be governed by The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq.). Any order or decision made by the Office of the State Fire Marshal based upon such hearing shall be an "administrative decision" within the meaning of the Administrative Review Law. (Ill. Rev. Stat. 1985, Ch. 110, Pars. 3-101 et seq.)

(Source: Amended at 15 Ill. Reg. 7042, effective April 29, 1991.)

- 1) Heading of the Part: ACCREDITING PERSONS IN THE PRACTICE OF MEDICAL RADIATION TECHNOLOGY
- 2) Code Citation: 32 Ill. Adm. Code 401
- 3) Section Number: Adopted Action:
401.20 Amendment
401.30 Amendment
401.40 Amendment
401.50 Amendment
401.60 Amendment
401.70 Amendment
401.80 Amendment
401.100 Amendment
401.110 Amendment
401.130 Amendment
401.140 Amendment
401. APPENDIX A New Section
401. APPENDIX B New Section

- 4) Statutory Authority: Implementing and authorized by Sections 5, 6, 7 and 36 of the Radiation Protection Act of 1990 (P. A. 86-1341, effective September 7, 1990).
- 5) Effective Date of Amendments: April 29, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 22, 1991
- 9) Notice of Proposal Published in Illinois Register: February 1, 1991, 15 Ill. Reg. 1390
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version:
- a) In the Table of Content, Section 401. Appendix A, the word "Diagnostic" has been inserted immediately after the word "Limited"; and the word "type" has been changed to the word "Type" in the Section title.
- b) In Section 401.20, Definitions, the word "Medical" has been changed to the word "Diagnostic" in the definitions for "Limited

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Medical Radiographer-Chest"; "Limited Medical Radiographer-Extremities"; Limited Medical Radiographer-Spine"; and "Limited Medical Radiographer-Skull/Sinuses", in addition, the "/" between the words Skull and Sinuses has been changed to the word "and" both places it appears in this definition.

- c) In Section 401.20, line 4, in the definition of "Medical Radiographer", after the word "and" the following phrase has been added "who, in conjunction with radiation studies may,"; and the word "administers" has been changed to the word "administer".
- d) In Section 401.30(c)(2), line 2, the word "medical" has been changed to the word "diagnostic"; on line 7, the word "limited" has been deleted; on line 7, the word "condition" has been inserted immediately after the word "status"; and on line 8, the word "medical" has been changed to the phrase "limited diagnostic".
- e) In Section 401.30(c)(5), the italic and statutory reference has been deleted.
- f) In Section 401.40, line 8, the phrase "limited status" has been deleted; the word "Medical" has been changed to the phrase "Limited Diagnostic"; on line 9, the "/" between the words "skull/sinuses" has been changed to the word "and".
- g) In Section 401.50(a), subsection (3), the word "and" has been deleted; subsection (4) the period has been deleted and a semi-colon and the word "and" has been inserted; and a new subsection (5) has been added "5) Limited Diagnostic Radiography".
- h) In Section 401.50(b), subsections (4), (5), (6) and (7), the word "Medical" has been changed to the phrase "Limited Diagnostic"; in addition in subsection (6), line 1, the "/" has been changed to the word "and".
- i) In Section 401.60, subsections (d), (e), (f) and (g), the word "Medical" has been changed to the word "Diagnostic". In addition in subsection (f), line 1, the "/" has been changed to the word "and".
- j) In Section 401.60, Agency Note, line 2, the word "category" has been changed to the phrase "status condition", and the word "accreditation" has been changed to the phrase "Diagnostic radiography".

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- k) In Section 401.70(c), line 1, the word "Medical" has been changed to the word "Diagnostic"; line 2, the phrase "limited status" has been deleted; line 3, the word "medical" has been changed to the phrase "limited diagnostic"; line 4, the word "radiographic" has been changed to the word "radiography"; line 14, the following phrase has been inserted immediately after the word "Radiology", "the American Osteopathic Board of Radiology, or the American Chiropractic Board of Radiology".
- l) In Section 401.70(d), line 1, the word "Examinations" has been changed to the phrase "For Active Status Accreditation, examinations".
- m) In Section 401.80(c), lines 2, 8, 12 and 30, the word "Medical" has been changed to the word "Diagnostic"; and on lines 10 and 29, the word "may" has been changed to the word "shall".
- n) In Section 401.100(d), in the last sentence, the phrase "may be renewed" has been changed to the phrase "is renewable".
- o) In Section 401.100(e), line 1, the phrase "limited status" has been deleted; line 2, the word "Medical" has been changed to the phrase "Limited Diagnostic" and the word "Accreditation" has been deleted.
- p) In Section 401.110(e), line 1, the phrase "limited status" has been deleted; line 2, the word "Medical" has been changed to the phrase "Limited Diagnostic".
- q) In Section 401.130(a)(3), the phrase "Diagnostic Radiography" has been inserted immediately after the word "Limited".
- r) In Section 401.140(b)(1)(E), the word "Medical" has been changed to the word "Diagnostic".
- s) In Section 401.140(b)(5), line 6, the word "may" has been changed to the word "shall" and the phrase "either in subject matter directly related to radiologic sciences or in" has been inserted immediately after the word "accomplished".
- t) In Section 401. Appendix A, the word "Section" has been added to the Section title; the word "Diagnostic" has been inserted immediately after the word "limited" in the Section title; and in subsections (a), (b), (c) and (d), the word "Medical" has been changed to the word "Diagnostic".

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- u) In Section 401. Appendix B, the word "Section" has been added to the Section title.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) **Summary and Purpose of Amendments:** This Amendment will implement the provisions of the Radiation Protection Act of 1990 (the Act) pertaining to accreditation of persons to perform a limited scope of diagnostic radiography procedures of the chest, the extremities, the skull and sinuses, or the spine. Section 6(c) of the Act directs the Department to promulgate rules establishing standards and procedures for accrediting such persons. As specified in Section 6(c) of the Act, the Department's proposed amendments will require any individual seeking limited scope accreditation to register with the Department as a "student-in-training", and will allow such individual to perform diagnostic radiography procedures while under the supervision of a person licensed under the Medical Practice Act of 1987. These amendments also specify the tests that will be administered to persons seeking accreditation to perform a limited scope of diagnostic radiography procedures and require applicants for such accreditation to take the examination within eight months of registering with the Department. The amendments provide standards for disqualifying any trainer whose effectiveness, as demonstrated by the examination pass rates of the individuals the trainer has been responsible for training, is unacceptable. Further, the amendments establish an examination fee for the limited accreditation as well as a fee for accreditation to perform a limited scope of diagnostic radiography procedures.

In addition to establishing procedures and standards for limited scope accreditation, these amendments will make two modifications to the continuing education requirement: (1) to add a continuing education requirement for limited medical radiographers (6 units per year), and (2) to require that all accredited technologists obtain at least 6 units per year in courses related to radiologic sciences. Radiologic Technologists who are required to earn more than 6 units of continuing education per year may fulfill the balance of the requirement by taking courses related to patient care.

Finally, the amendments will change the definitions of "medical radiographer" and "nuclear medicine technologist". These definitions are being modified to clarify that those individuals may administer radiopharmaceuticals and related drugs for diagnostic purposes.

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- 16) Information and questions regarding this adopted amendment shall be directed to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
785-9880

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTSTITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTIONPART 401
ACCREDITING PERSONS IN THE PRACTICE OF MEDICAL RADIATION TECHNOLOGY

Section	Policy and Scope
401.10	Definitions
401.20	Exemptions
401.30	Application for Accreditation
401.40	Categories of Accreditation
401.50	Examination Requirements
401.60	Acceptable Examinations
401.70	Approved Program
401.80	Practice Requirement - Initial Licensure (Repealed)
401.90	Initial Issuance of Accreditation
401.100	Duration of Accreditation
401.110	Suspension and Revocation of Accreditation
401.120	Fees
401.130	Requirements for Renewal of Accreditation
401.140	Reciprocity
401.150	Minimum Course of Education (Repealed)
401.160	Civil Penalties
401.170	Limited Diagnostic Radiography Procedures by Type of Limited Accreditation
401-APPENDIX A	Example Topics Directly Related to Radiologic Sciences
401-APPENDIX B	Accreditation

AUTHORITY: Adopted at 7 Ill. Reg. 17318, effective January 1, 1984; Emergency amendment at 8 Ill. Reg. 17584, effective September 12, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 2499, effective February 13, 1985; amended at 10 Ill. Reg. 13259, effective July 28, 1986; amended at 10 Ill. Reg. 21086 effective January 1, 1987; amended at 11 Ill. Reg. 15623, effective September 11, 1987; Emergency amendment at 11 Ill. Reg. 19797, effective November 24, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7603, effective April 18, 1988; amended at 12 Ill. Reg. 18164, effective January 1, 1989; amended at 13 Ill. Reg. 15005, effective September 11, 1989; amended at 14 Ill. Reg. 15341, effective September 4, 1990; amended at 15 Ill. Reg. 7054, effective April 29, 1991.

SOURCE: Adopted at 7 Ill. Reg. 17318, effective January 1, 1984; Emergency amendment at 8 Ill. Reg. 17584, effective September 12, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 2499, effective February 13, 1985; amended at 10 Ill. Reg. 13259, effective July 28, 1986; amended at 10 Ill. Reg. 21086 effective January 1, 1987; amended at 11 Ill. Reg. 15623, effective September 11, 1987; Emergency amendment at 11 Ill. Reg. 19797, effective November 24, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7603, effective April 18, 1988; amended at 12 Ill. Reg. 18164, effective January 1, 1989; amended at 13 Ill. Reg. 15005, effective September 11, 1989; amended at 14 Ill. Reg. 15341, effective September 4, 1990; amended at 15 Ill. Reg. 7054, effective April 29, 1991.

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Section 401.20 Definitions

As used in this Part, the following definitions shall apply:

"Accreditation" - *The process by which the Department of Nuclear Safety grants permission to persons meeting the requirements of this Act and the Department's rules and regulations to engage in the practice of administering radiation to human beings.* (Section 3-15 4 of the Act)

"Act" - The Radiation Protection Act of 1990 (Ill. Rev. Stat. 1989, ch. 111, pars. 211 et seq. P.A. 86-1341, effective September 7, 1990).

"Administers Ionizing Radiation" - see "Applies Ionizing Radiation"

"Applies Ionizing Radiation" - The act(s) of using ionizing radiation for diagnostic or therapeutic purposes. Specifically included are those tasks which have a direct impact on the radiation burden of the patient, e.g.: Positioning of the patient, film and beam; preparation, calibration, and injection of radiopharmaceuticals; imaging or laboratory techniques which if performed improperly would result in the re-administration of radiation; selection of technique or treatment parameters.

"Approved Program" - A program which the Department has determined is adequate to prepare students to meet the education requirements prescribed in 42 CFR 75.3 Appendix A, D, and E (1983), exclusive of subsequent amendments or editions. A copy of 42 CFR 75.3 is available for inspection at the Department's offices, 1035 Outer Park Drive, Springfield, IL.

"Board" - The Radiologic Technologist Accreditation Advisory Board (R.T.A.B.).

"Chiropractic Radiographic Assistant" - A person other than a licensed practitioner who performs medical radiation procedures and applies x-radiation to the human body for diagnostic evaluation of skeletal anatomy, while under the supervision of a licensed chiropractor.

"Chiropractic Radiography" - The science and art of applying x-radiation to human beings for diagnostic purposes in Chiropractic.

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"Credentialing" - Means any process whereby a State government or non-governmental agency or association grants recognition to an individual who meets certain predetermined qualifications.

"Department" - Means the Illinois Department of Nuclear Safety.

"Direct Supervision" - An individual is in the physical presence of a licensed practitioner or medical radiation technologist who holds active status accreditation and assists, evaluates and approves of the individual's performance of the various tasks involved in the application of ionizing radiation.

"Director" - Means the Director of the Department of Nuclear Safety.

"Ionizing Radiation" - Means gamma rays, and x-rays, alpha and beta particles, high speed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared or ultraviolet light.

"In vitro" - Isolated from the living organism.

"In vivo" - Occurring within the living organism.

"Licensed Practitioner" - A person licensed or otherwise authorized by law to practice medicine, dentistry, osteopathy, chiropractic or podiatry.

"Limited Diagnostic Radiographer-Chest" - A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human chest for diagnostic purposes.

"Limited Diagnostic Radiographer-Extremities" - A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human extremities for diagnostic purposes.

"Limited Diagnostic Radiographer-Skull and Sinuses" - A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human skull and sinuses for diagnostic purposes.

"Limited Diagnostic Radiographer-Spine" - A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human spine for diagnostic purposes.

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AGENCY NOTE: Specific radiographic examinations appropriate to each type of limited radiography accreditation may be found in Appendix A.

"Medical Radiation Technology" - The science and art of performing medical radiation procedures involving the application of ionizing radiation to human beings for diagnostic and therapeutic purposes. The five specialized disciplines of Medical Radiation Technology are Medical Radiography, Nuclear Medicine Technology, Radiation Therapy Technology, Chiropractic Radiography, and Podiatric Radiography.

"Medical Radiographer" - A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to any part of the human body and who, in conjunction with radiation studies may, administer contrast agents and related drugs for diagnostic purposes.

"Medical Radiography" - The science and art of applying x-radiation to human beings for diagnostic purposes.

"Nuclear Medicine Technologist" - A person, other than a licensed practitioner, who, administers radiopharmaceuticals and related drugs to human beings for diagnostic purposes, performs in vivo and in vitro detection and measurement of radioactivity and the administration of administers radiopharmaceuticals to human beings for diagnostic and therapeutic purposes. A nuclear medicine technologist may perform such procedures only while under the supervision of a licensed practitioner who is licensed to possess and use radioactive materials.

"Nuclear Medicine Technology" - The science and art of in vivo and in vitro detection and measurement of radioactivity and the administration of radiopharmaceuticals to human beings for diagnostic and therapeutic purposes.

"Radiation Therapy Technologist Therapist" - A person, other than a licensed practitioner, who performs procedures and applies ionizing radiation emitted from x-ray machines, particle accelerators, or sealed radioactive sources to human beings for therapeutic purposes while under the supervision of a licensed practitioner who is licensed, as required, to possess and use radioactive materials.

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"Radiation Therapy Technology" - The science and art of applying ionizing radiation emitted from x-ray machines, particle accelerators and sealed radioactive sources to human beings for therapeutic purposes.

"Supervision" - Responsibility for, and control of, quality, radiation safety and protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic and/or therapeutic purposes.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.30 Exemptions

- a) Nothing in the Act or this Part shall be construed to limit or affect in any respect, the practice of persons properly licensed under other statutes or regulations with respect to their professions.
- b) The Department shall, upon application therefor or upon its own initiative, grant such exemptions or exceptions from the requirements of this Part as it determines are authorized by law and will not result in a hazard to public health and safety.
- c) Exemptions shall include:
 - 1) A student enrolled in an approved program applicable to his/her profession who, as a part of his/her course of study, applies ionizing radiation to human beings while under the supervision of a licensed practitioner.

- 2) A person registered with the Department as a student-in-training in limited diagnostic radiography pursuant to Section 401.80(c) who applies ionizing radiation to human beings while under the supervision of a licensed practitioner, provided that the procedures performed shall be limited to the procedures as listed in Appendix A, applicable to the particular status condition of limited diagnostic radiography for which the student is registered. This exemption shall only apply to individuals who are registered with the Department and shall only apply for 16 months.

- 2 3) A person licensed to practice a treatment of human ailments by virtue of the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et seq.), the Illinois Dental Practice Act (Ill. Rev. Stat. 1989, ch. 111, par.

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2301 et seq.), or the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4801 et seq.) (Section 4 5 of the Act)

- 3 4) A person employed as a dental assistant who performs dental radiography for a licensed dentist.
- 4 5) ~~A technician, nurse or other assistant who performs radiography under the supervision of a person licensed under the Podiatric Medical Practice Act of 1987. (Section 4.1 of the Act)~~ A technician, nurse or other assistant who performs radiography under the supervision of a person licensed under the Podiatric Medical Practice Act of 1987.
- 5 6) A person who holds Conditional Accreditation Type II issued in accordance with Section 401.100(d) during such time as that person is under the direct supervision of a licensed practitioner or medical radiation technologist who holds active status accreditation for purposes of being instructed in the use of equipment and/or procedures other than those for which the person is currently accredited.
- 6 7) ~~A nurse, technician, or other assistant who, under the supervision of a person licensed under the Medical Practice Act of 1987, administers radiation to human beings, but only when such administration is performed on employees of a business at a medical facility owned and operated by that business. (Section 4-1 6 of the Act)~~

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.40 Application for Accreditation

Any person applying for initial accreditation or renewal of accreditation must submit a complete and legible application form, must pay the appropriate application fee in accordance with Section 401.130, and must provide evidence that he/she has met the requirements for the given category and status of accreditation which is sought. Persons applying for Active Status Accreditation shall submit evidence of registration, Board certification, or other examination as appropriate pursuant to Section 401.70. Persons applying for accreditation in Limited Diagnostic Radiography (i.e., limited-chest, limited-extremities, limited-skull and sinuses and limited-spine) shall submit evidence that they have passed the required examinations as specified in Section 401.60 (d-g). Persons applying for Temporary Accreditation shall submit evidence of graduation from an approved program. Fees and charges collected by the Department shall be paid into the Radiation Protection Fund. Such fees and charges shall be used to defray costs incurred in the

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administration of this program. Accreditation shall be valid for a specified period of time and shall entitle the individual to privileges consistent with the category and status of accreditation indicated unless the accreditation is suspended or revoked in accordance with Section 401.120.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.50 Categories of Accreditation

- a) The Department shall accredit persons in the practice of Medical Radiation Technology in one or more of these specific categories:

- 1) Medical Radiography;
- 2) Nuclear Medicine Technology;
- 3) Radiation Therapy Technology; ~~and~~
- 4) Chiropractic Radiography; ~~i~~ and
- 5) Limited Diagnostic Radiography.

- b) The Department shall recognize ~~three~~ the following status conditions for ~~any category~~ the categories of accreditation as follows:

- 1) Active - An applicant who meets the requirements as set forth in Section 401.100(a).
- 2) Temporary - An applicant who meets the requirements as set forth in Section 401.100(b).
- 3) Conditional - An applicant who meets the requirements as set forth in Section 401.100(c), or (d).
- 4) Limited-Chest - An applicant who meets the requirements as set forth in Section 401.100(e). This status condition is applicable to the category of Limited Diagnostic Radiography only.
- 5) Limited-Extremities - An applicant who meets the requirements as set forth in Section 401.100(e). This status condition is applicable to the category of Limited Diagnostic Radiography only.
- 6) Limited-Skull and Sinuses - An applicant who meets the requirements as set forth in Section 401.100(e). This

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status condition is applicable to the category of Limited Diagnostic Radiography only.

- 7) Limited-Spine - An applicant who meets the requirements as set forth in Section 401.100(e). This status condition is applicable to the category of Limited Diagnostic Radiography only.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)
Section 401.60 Examination Requirements

- a) Active - Persons who seek active status accreditation in medical radiation technology must pass a written examination as appropriate to the category of accreditation sought in accordance with Section 401.70.
- b) Temporary - Persons who seek active status accreditation and are awaiting the successful completion of an examination in accordance with Section 401.70 may apply for and be issued temporary accreditation. Temporary accreditation shall be valid until the person has passed the appropriate examination and has applied for and been issued active status accreditation. In no case shall temporary accreditation be valid for more than two years from the date of issuance.
- c) Conditional - Examination shall not be required for conditional accreditation.
- d) Limited Diagnostic Radiographer-Chest - Persons who seek accreditation to perform radiography of the chest, but not any other parts of the body, must pass a written examination on general radiography topics and a written or practical examination on chest anatomy and clinical skills required to perform radiography of the chest in accordance with Section 401.70(c).
- e) Limited Diagnostic Radiographer-Extremities - Persons who seek accreditation to perform radiography of the extremities, but not any other parts of the body, must pass a written examination on general radiography topics and a written or practical examination on anatomy of the extremities and clinical skills required to perform radiography of the extremities in accordance with Section 401.70(c).
- f) Limited Diagnostic Radiographer-Skull and Sinuses - Persons who seek accreditation to perform radiography of the skull and or sinuses, but not any other parts of the body, must pass a written

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examination on general radiography topics and a written or practical examination on anatomy of the skull and sinuses and clinical skills required to perform radiography of the skull and sinuses in accordance with Section 401.70(c).

- g) Limited Diagnostic Radiographer-Spine - Persons who seek accreditation to perform radiography of the spine, but not any other parts of the body, must pass a written examination on general radiography topics and a written or practical examination on anatomy of the spine and clinical skills required to perform radiography of the spine in accordance with Section 401.70(c).

AGENCY NOTE: Persons may seek accreditation in more than one status condition of limited diagnostic radiography.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.70 Acceptable Examinations

- a) The Department shall accept for, issuance of Active Status Accreditation, examinations as identified by this Section. Accreditation shall be specific to the category of examination as specified in subsection (b) of this Section.

- b) Examinations as appropriate to category of accreditation are as follows:

- 1) Medical Radiography
 - The American Registry of Radiologic Technologists (R) (A.R.R.T.).
- 2) Nuclear Medicine Technology
 - The American Registry of Radiologic Technologists (N) (A.R.R.T.), the Nuclear Medicine Technology Certification Board (N.M.T.C.B.), the American Society of Clinical Pathologists (NM) (A.S.C.P.).
- 3) Radiation Therapy Technology
 - The American Registry of Radiologic Technologists (T) (A.R.R.T.).

4) Chiropractic Radiography

- American Chiropractic Registry of Radiologic Technologists (ACRRT), provided that the examination was administered after June 30, 1984.

c)

Examinations in Limited Diagnostic Radiography - Applicants for accreditation in one or more areas of limited diagnostic radiography shall have passed a written examination on general radiography topics and a written or practical examination specific to the type of limited accreditation sought. All written examinations shall be approved by and scheduled through the Department. The passing score for written examinations shall be a scaled score of 75 percent. All practical examinations shall cover items prescribed by the Department. Practical examinations may be administered by a technologist who holds active accreditation in radiography and is a full-time faculty member of an approved program as defined in Section 401.80 or by a licensed practitioner, certified as a radiologist by the American Board of Radiology, the American Osteopathic Board of Radiology, or the American Chiropractic Board of Radiology. Practical examinations shall be graded on a pass/fail basis on forms provided by the Department.

e d)

Examinations For Active Status Accreditation, examinations by other certifying organizations shall be accepted upon written request to the Department, provided that the Department finds that the certifying organization has met the National Commission for Health Certifying Agencies (NCHCA) requirements. (Publication Title: Perspectives on Health Occupational Credentialing) Contract #232-78-0187, dated September 30, 1979, DHHS Publication No. (HRA) 81-4, U.S. Government Printing Office, Washington, D. C. 20402.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.80 Approved Program

- a) The Department shall base its approval of didactic and clinical education for Medical Radiography, Nuclear Medicine Technology, or Radiation Therapy Technology on the standards accepted by the Committee on Allied Health Education and Accreditation (CAHEA). (Specific information concerning these standards is available from the Committee on Allied Health Education and Accreditation of the American Medical Association and from the Department. These standards are entitled: Essentials and Guidelines of an Accredited Education Program for the Radiation Therapy Technologist (1983); Essentials and Guidelines of an Accredited

Educational Program for the Radiographer (1983); Essentials of an Accredited Educational Program for the Nuclear Medicine Technologist (1984), and do not include subsequent amendments or editions).

- b) The Department shall base its approval of didactic and clinical education in Chiropractic Radiography on the standards accepted by the Chiropractic Council on Education (CCE), published January 27, 1985, exclusive of subsequent amendments or editions. Specific information concerning these standards is available from the Department or from the Chiropractic Council on Education, 3209 Ingersoll Avenue, Des Moines, Iowa 50312. Student exemption for persons enrolled in an approved Chiropractic Radiography program shall not exceed 12 months.

- c) The Department shall base its approval of didactic and clinical education in Limited Diagnostic Radiography on standards contained in the "Curriculum Guide for Limited Permittee Programs", June 1987, exclusive of subsequent amendments or editions. Copies of these standards are available from the American Society of Radiologic Technologists, 15000 Central Avenue South East, Albuquerque, New Mexico, 87123. Students-in-training in Limited Diagnostic Radiography shall be registered with the Department on forms provided by the Department. Registration with the Department shall include application and payment of applicable fees for examination. Students-in-training in Limited Diagnostic Radiography shall not begin application of ionizing radiation to humans prior to the Department's approval of the student's proposed training as identified through the student-in-training registration process. The Department shall refuse to register an individual as a student-in-training when the party(s) responsible for the training of said student has demonstrated poor training of students as evidenced by either a cumulative failure rate in excess of 50 percent of the trainer's students or two consecutive students who fail the examinations specified in Section 401.70(c). If the employer is not identified as the party responsible for training the student, the Department shall register an individual as a student-in-training in the employer's practice only if the student is concurrently enrolled in a program that meets the minimum requirements for a training program in limited radiography established by the Joint Review Committee on Education in Radiologic Technology, published 1990, by the Joint Review Committee on Education, 20 N. Wacker Drive, Suite 900, Chicago, Illinois 60606-2901. Students-in-training in Limited Diagnostic Radiography shall take the appropriate written or written and practical examinations not later than the eighth month of training. Students shall not perform radiographic procedures

beyond the 16 months of training unless the required examinations have been passed.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.100 Initial Issuance of Accreditation

- a) The Department shall issue Active Status Accreditation in a category of medical radiation technology to persons who have passed an examination as indicated in Section 401.70(b). Active Status Accreditation issued after January 1, 1988, shall be valid for two years from the date of issuance.
- b) The Department shall issue Temporary Accreditation in a category of medical radiation technology and chiropractic radiography to persons who are awaiting an examination in accordance with Section 401.70(b) and have completed an approved program. Applicants for Temporary Accreditation must provide specific evidence of the intent to take such an examination, the category of examination to be taken, and the date on which the examination will be taken. Temporary Accreditation shall convey the same rights as the Active Status Accreditation for which the individual is awaiting examination. Temporary Accreditation shall be valid until such time as the individual successfully completes the appropriate examination and applies for and is issued Active Status Accreditation in accordance with subsection (a), but in no instance longer than twenty-four (24) months from the date of issuance for medical radiation technology and no longer than twelve (12) months from the date of issuance for chiropractic radiography.

- c) The Department shall issue Conditional Accreditation Type I in a category of medical radiation technology upon determining that community hardship exists. When making a determination of the existence of community hardship, the Department will consult Health Systems Agencies or County or Local Health Departments, and will evaluate the availability of alternative radiology services and trained personnel. In addition, the Department shall require the applicant's employer or prospective employer to demonstrate that recruitment of qualified personnel, at competitive compensation, has been attempted and unsuccessful. Such demonstration can take the form of documented advertising in publications intended to reach radiologic technologists. If based on the information submitted, the Department determines that qualified personnel cannot be recruited, and that the people in the locality in which the conditional accreditation is sought would be denied adequate health care because of the unavailability

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of appropriately accredited persons, the Department shall issue Conditional Accreditation Type I which shall be valid for a period of twenty-four (24) months from the date of issuance.

- d) The Department shall issue Conditional Accreditation Type II in a category of medical radiation technology to any person who, twenty-four (24) months prior to July 1, 1989, was employed in medical radiation technology and who otherwise does not meet the qualifications for accreditation. Conditional accreditation issued pursuant to this Section shall be valid for two years from date of issuance. Issuance shall be contingent upon submitting a written Statement of Assurance that the person is competent to apply ionizing radiation to human beings. A Statement of Assurance submitted to the Department in accordance with this Section shall specify the nature of the equipment and procedures which the individual is competent to utilize. The Statement of Assurance must be provided by a licensed practitioner under whose supervision the individual is employed or has been employed at some time within the last twelve months. Conditional accreditation which is issued pursuant to this Section shall be specific to the procedures and equipment indicated in the Statement of Assurance. An individual who is accredited in accordance with this Section may expand the accreditation to additional procedures and/or equipment by receiving training in accordance with Section 401.30(c)(3). After such training, the individual may submit an additional Statement of Assurance from a licensed practitioner under whose supervision the individual is employed as to the additional equipment and procedures which the individual is competent to utilize. However, an individual may not become accredited pursuant to the provisions of this Section for equipment or procedures outside of those in the category of initial accreditation. Nothing in this Section should be interpreted to limit an individual's right to make application for and be issued Active Status Accreditation in accordance with subsection (a). The Department shall not issue Conditional Accreditation Type II as provided by this Section after September 7, 1990. However, Conditional Accreditation Type II issued on or before September 7, 1990, is renewable in accordance with Section 401.140.

- e) The Department shall issue accreditation in one or more areas of Limited Diagnostic Radiography Accreditation to persons who have passed examinations as indicated in Section 401.70(c). Such accreditation shall be valid for two years from the date of issuance.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.110 Duration of Accreditation

- a) The duration of initial issuance of Active Status Accreditation, regardless of the category of medical radiation technology, shall be two (2) years. Active Status Accreditation shall be renewable for periods of two years in accordance with meeting the requirements in Section 401.140.
- b) The duration of Temporary Accreditation shall not exceed two years for the categories of Radiography, Nuclear Medicine Technology, or Radiation Therapy Technology and shall not exceed one year for Chiropractic Radiography. Temporary Accreditation shall not be renewed.
- c) The duration of initial issuance of Conditional Accreditation Type I shall be two years and shall be renewable thereafter for periods of two years. Such renewal shall be based on a re-evaluation by the Department of a condition of community hardship and meeting the requirements of Section 401.140.
- d) The duration of initial issuance of Conditional Accreditation Type II shall be two years. This accreditation shall be renewable for periods of two years in accordance with meeting the requirements in Section 401.140. The renewed accreditation shall be specific to the procedures and equipment indicated in the most recent Statement of Assurance which has been presented to the Department in accordance with Section 401.100(d).
- e) The duration of initial issuance of accreditation in Limited Diagnostic Radiography shall be two years. This accreditation shall be renewable for periods of two years in accordance with meeting the requirements in Section 401.140.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.130 Fees

- a) The fees for accreditation in all categories shall be non-refundable and shall be as follows:
- 1) For applications filed before January 1, 1991:
 - A) Initial Accreditation - Active, Conditional or Temporary Status: \$30.00 per application

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- B) Renewal of Accreditation - Active and Conditional Status: \$30.00 per application
- 2) For applications filed on or after January 1, 1991:
- A) Initial Accreditation - Active, Conditional, or Temporary or Limited Status: \$40.00 per application
- B) Renewal of Accreditation - Active, and Conditional, or Limited Status: \$40.00 per application
- 3) Examination fee for Limited Diagnostic Radiography Accreditation shall be \$30.00.

- b) The appropriate fees are to accompany the application when filing with the Department. An application is filed on the date that it is received by the Department or on the date that it is postmarked by the United States Postal Service, whichever is earlier.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.140 Requirements for Renewal of Accreditation

a) Prerequisites

- 1) An individual must make application for renewal of accreditation on or before the expiration date of the accreditation. Accreditation shall lapse if not renewed within this time period. An individual may not legally perform medical radiation technology without valid accreditation. Nothing in this Section shall be interpreted to preclude an individual from seeking the renewal of lapsed accreditation.
- 2) Each applicant shall submit a complete and legible application with the fee for renewal of accreditation in accordance with Section 401.130. Submission of an application for renewal shall hold the prior accreditation valid until such time as the Department acts to grant or deny renewal of accreditation. The Department will grant or deny renewal of accreditation within ninety (90) days of receipt of application for renewal.

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b) Continuing Education Requirements

All applicants for renewal of accreditation, regardless of the category or status of accreditation sought to be renewed, must provide evidence of having participated in an approved program of continuing education as indicated below:

- 1) The required effort in continuing education per year for each category of medical radiation technology, applicable to each year elapsed since the most recent date of issuance of accreditation is as follows:

- | | |
|-----------------------------------|----------|
| A) Radiography | 12 units |
| B) Nuclear Medicine Technology | 12 units |
| C) Radiation Therapy Technology | 12 units |
| D) Chiropractic Radiography | 12 units |
| E) Limited Diagnostic Radiography | 6 units |

- 2) The continuing education effort may be averaged during the period to which the requirement applies and shall be prorated by month. Individual courses may be applicable to more than one category of accreditation. The Department will base its approval on the relevance of the course work or training to the category or categories of current accreditation. In establishing relevancy, the Department will use standards such as are accepted by Verification of Involvement in Continuing Education (V.O.I.C.E.), Evidence of Continuing Education (E.C.E.), Continuing Medical Education (C.M.E.), and Continuing Education Units (C.E.U.). The Department will also accept relevant course work from accredited colleges and universities to satisfy this requirement.

- 3) Credit for continuing education other than as indicated above shall be granted by the Department if the individual or activity sponsor seeks approval of the course or activity and the Department finds that the course or activity will be consistent with courses approved in accordance with Section 401.140(b)(1).

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- 4) The basis for a unit of continuing education credit shall be the contact hour (50 minutes) of lecture. Activity other than lecture shall be approved for credit by the Department based upon the standards of subsection (b)(2).

- 5) In each category of accreditation the applicant for renewal shall have completed a minimum of 6 units of continuing education for each year elapsed since the most recent date of issuance of accreditation in continuing education in subject matter directly related to radiologic sciences. The balance of the requirement may be accomplished either in subject matter directly related to radiologic sciences or in subject matter directly related to patient care in the radiologic environment.

AGENCY NOTE: Applicants may refer to Appendix B for examples of specifically related continuing education subjects.

c) Nonrenewal of Accreditation

- 1) The Department shall not renew an individual's accreditation if he/she fails to present satisfactory evidence that he/she possesses the necessary qualifications for accreditation, and that he/she has participated in an approved continuing education program in accordance with this Part.

- 2) If the Department does not find satisfactory evidence that the individual meets these requirements, the Department shall, within ninety (90) days of receipt of the application for renewal of accreditation, send the individual a Notice of Intent Not to Renew Accreditation. This notice shall include the area(s) of deficiency and the individual's rights as set forth in this Section.

- 3) The individual may, within fifteen (15) days of the date of receipt of the Notice of Intent Not to Renew Accreditation, resubmit an application for renewal of accreditation which provides additional information to the Department in order to establish that the identified area(s) of deficiency have been met or corrected. The Department shall act upon such resubmission within thirty (30) days of receipt. Submission of such an application shall hold the prior accreditation valid until the Department acts on the application.

- 4) After receipt of a Notice of Intent Not to Renew Accreditation in accordance with subsections (2) or (3), the

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individual may request a hearing. Such request must be made within thirty (30) days of the date of receipt of the Notice of Intent Not to Renew Accreditation. The hearing shall be held in accordance with 32 Ill. Adm. Code 200, except that the applicant shall have the burden of proof of establishing that he/she has met the necessary qualifications for renewal of accreditation. Submission of a request for a hearing shall hold the prior accreditation valid until the individual's receipt of a decision pursuant to the hearing.

- 5) If the applicant does not request a hearing within thirty (30) days of receipt of a Notice of Intent Not to Renew Accreditation in accordance with subsections (2) or (3), the Department shall issue a Notice of Nonrenewal.

- 6) An individual's current credential shall be invalid as of the date of his/her receipt of a Notice of Nonrenewal pursuant to subsection (5) or a decision issued after a hearing in accordance with subsection (4) of this Section.

- 7) If an individual's accreditation is not renewed, he/she shall have the right at any time to submit an application for renewal of accreditation. Such application shall be reviewed and processed in accordance with the requirements of this Section except that an individual may not legally apply ionizing radiation to human beings until and unless the Department has acted to grant such application for renewal of accreditation.

(Source: Amended at 15 Ill. Reg. 7054, effective April 29, 1991)

Section 401.APPENDIX A Limited Diagnostic Radiography Procedures by Type of Limited Accreditationa) Limited Diagnostic Radiography - Chest

- Chest: Routine P.A. and Lateral
- Chest: Lateral Decubitus, Apical Lordotic, Obliques

b) Limited Diagnostic Radiography - Extremities

- Fingers
- Hand
- Wrist
- Forearm
- Elbow
- Humerus
- Shoulder
- Clavicle
- Scapula
- Toes
- Foot
- Ankle
- Lower leg
- Knee
- Patella
- Femur
- Hip

c) Limited Diagnostic Radiography - Spine

- Cervical Spine
- Thoracic Spine
- Lumbar Spine
- Lumbosacral Spine
- Sacroiliac Joints
- Sacrum
- Coccyx

d) Limited Diagnostic Radiography - Skull and Sinuses

- Skull
- Paranasal Sinuses
- Mandible
- Facial bones

(Source: Added at 15 Ill. Reg. 7054, effective April 29, 1991)

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Section 401. APPENDIX B Example Topics Directly Related to Radiologic Sciences

As referenced in Section 401.140(b)(5), applicants may refer to this Appendix for subjects relating directly to radiologic sciences in completing the minimum requirements for continuing education.

RADIOGRAPHY	NUCLEAR MEDICINE	RADIATION THERAPY	LIMITED RADIOGRAPHY
Medical Ethics	Medical Ethics	Medical Ethics	Medical Ethics
Medical Terminology	Medical Terminology	Medical Terminology	Medical Terminology
Human Structure & Function	Human Structure & Function	Human Structure & Function	Human Structure & Function
Radiobiology	Radiobiology	Radiobiology	Radiobiology
Radiation Physics	Radiation Physics	Radiation Physics	Radiation Physics
Radiographic Pathology	Radiographic Pathology	Radiographic Pathology	Radiographic Pathology
Principles of Protection	Principles of Protection	Principles of Protection	Principles of Protection
Radiographic Procedures			Radiographic Procedures
Principles of Exposure	Principles of Exposure	Principles of Exposure	Principles of Exposure
Film Processing	Film Processing	Film Processing	Film Processing
Quality Assurance	Quality Assurance	Quality Assurance	Quality Assurance
Imaging Equipment	Imaging Equipment		Imaging Equipment
Introduction to Computer Applications in Radiography	Introduction to Computer Applications in Nuclear Medicine	Introduction to Computer Applications in Radiation Therapy	Introduction to Computer Applications in Radiography

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RADIOGRAPHY	NUCLEAR MEDICINE	RADIATION THERAPY	LIMITED RADIOGRAPHY
Nuclear Physics	Nuclear Physics	Nuclear Physics	Nuclear Physics
Health Physics	Health Physics	Health Physics	Health Physics
	Instrumentation and Statistics		
		Radiation Oncology Technique	
	Biochemistry		
	Immunology	Dosimetry	
		Radiation Oncology	
	Radionuclide Therapy		
	Radiopharmacy		
	Radionuclide Chemistry		
		Oncology Pathology	

(Source: Added at 15 Ill. Reg. 7054, effective April 29, 1991)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Structural Engineering Licensing Act of 1989

- 2) Code Citation: 68 Ill. Adm. Code 1480

- 3) Section Numbers: Adopted Action:

1480.10	Repeal
1480.20	Repeal
1480.30	Repeal
1480.40	Repeal
1480.45	Renumber
1480.50	Repeal
1480.60	Renumber
1480.110	New Section
1480.120	New Section
1480.130	New Section
1480.140	New Section
1480.150	New Section
1480.160	New Section
1480.170	New Section
1480.180	New Section
1480.190	Renumber, Amendment
1480.200	New Section
1480.210	New Section
1480.220	Renumber, Amendment

- 4) Statutory Authority: Ill.Rev.Stat. 1989, ch. 111, par. 6601 et seq.

- 5) Effective Date of Amendments: April 29, 1991

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: April 23, 1991

- 9) Date Notice of Proposal Published in Illinois Register: September 7, 1990, at 14 Ill. Reg. 14291.

- 10) Has ICAR issued a Statement of Objections to these amendments? No

- 11) Difference(s) between proposal and final version:

In the Table of Contents, "of" was removed from Section 1480.60 and "Basic Engineering" was deleted from 1480.120.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Under AUTHORITY, Ill. Rev. Stat. was updated to 1989.

In Section 1480.45, the Source note was changed to read "..., new Section 1480.190 adopted..." The same change was made in 1480.60.

In Section 1480.110, "Structural" was inserted ahead of "Engineering" in the heading.

In Section 1480.130(b), "shall" replaced "may" in line 2 and "will" in line 4.

In Section 1480.200(a), the reference to Ill. Rev. Stat. was updated to "1989."

In Section 1480.110, all text was deleted and replaced with the following:

"a) The Department of Professional Regulation (the "Department") shall, upon the recommendation of the Structural Engineering Board (the "Board") approve an applicant's engineering or architecture curriculum if the degree is from an educational institution that is legally recognized and authorized by the jurisdiction in which it is located to confer a baccalaureate degree in engineering or architecture.

b) The curriculum shall be at least 4 academic years, lead to the awarding of the baccalaureate degree, and provide integration of the educational experience with the ability to apply the knowledge gained to the identification and solution of practical problems.

c) The curriculum of each applicant shall include a minimum of 18 semester hours of courses in the analysis, behavior, and design of structural elements and systems. These courses shall include, but not be limited to:

- 1) Structural analysis courses such as determinate and indeterminate structures, and stability; and
- 2) A minimum of 9 semester hours are required in structural design courses that may include structural steel, reinforced concrete, prestressed concrete, foundation, masonry, and wood engineering.
- 3) Courses such as mechanics (statics and dynamics), mechanics of materials, properties of materials, and soil mechanics shall not be included in the minimum 18 semester hours."

In Section 1480.120, "Basic Engineering or" was deleted from the heading and in the first line of subsection (a). Also in subsection (a), parts of the last two lines were combined to read: "Additional Sciences and/or Engineering Sciences-30 hours."

Subsection 1480.120(b) was deleted and subsections (c) and (d) move up to (b) and (c), respectively. In new subsection (c), "courses" was substituted for "credit leading to a degree." Subsection 1480.110(a)(3)(C) and 1480.110(a)(3)(D) were moved to Section 1480.120 as subsections (d) and (e).

In Section 1480.130(a), the first word in the last sentence was changed from "All" to "Approved." In subsection (a)(3), "and shall become progressively more complex" was deleted from the last sentence.

In Section 1480.140, subsection (2) was deleted and subsection (3) was moved up to (2). In new subsection (2), "a" was substituted for "basic engineering or" in lines one and two. "As set forth in Section 1480.120" was added after "related science" in subsection (b)(2). In subsection (b)(1), the first sentence was changed to read: "A degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110."

In Section 1480.150, subsection "(h)" was changed to "(f)."

In Section 1480.190, subsection (c), "November 30" was changed to "April 30."

In Section 1480.200, subsection (f) was deleted. Also in subsection (a)(1)(B) line 5, "structural" was deleted.

In Section 1480.210(b)(3), "registrants" was changed to "licensees." Subsections (d)(5) and (d)(6) were combined to read as follows:

"Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their firm or organization serves as a member. Conversely, licensees serving as members, advisors or employees of a governmental body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services solicited or provided by them or their organization."

12) Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect?
No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments: This rulemaking implements the rewrite of The Structural Engineering Licensing Act of 1989 (Public Act 86-711, effective January 1, 1990). It repeals 5 sections, renumbers 2 others and replaces and expands the rules with 10 new sections, detailing procedures for obtaining and maintaining licensure as a structural engineer. Various technical, typographical and format changes also were made.

16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1480
THE ILLINOIS STRUCTURAL ENGINEERING LICENSING ACT OF 1989

Section
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Statutory Authority (Repealed)
Licensure (Repealed)
Approved Education Qualifications (Repealed)
Approved Experience Qualifications (Repealed)
Renewals (Renumbered)
Restoration of Expired Certificate (Repealed)
Granting of Variances (Renumbered)
Approved Structural Engineering Curriculum
Definition of Degree in ~~Basic Engineering or Related Science~~
Approved Experience
Application for Licensure by Examination
Examination
Restoration
Endorsement
Inactive Status
1480.190 Renewals (Renumbered)
Corporations and Partnerships
Standards of Professional Conduct
1480.220 Granting of Variances (Renumbered)

AUTHORITY: Implementing The Structural Engineering Licensing Act of 1989 (Public Act 86-711, effective January 1, 1990) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, 1989, ch. 127, par. 60(7)).

SOURCE: Adopted at 4 Ill. Reg. 22, p. 242, effective May 15, 1980; amended at 4 Ill. Reg. 44, p. 475, effective October 20, 1980; codified at 5 Ill. Reg. 11068; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; transferred from Chapter I, 68 Ill. Adm. Code 480 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1480 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2947; emergency amendment at 13 Ill. Reg. 5781, effective April 5, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 13891, effective August 22, 1989; amended at 15 Ill. Reg. 7081, effective April 29, 1991

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Section 1480.10 Statutory Authority (Repealed)

These rules are promulgated pursuant to Section 3-1 of The Illinois Structural Engineering Act, as amended: (Ill. Rev. Stat. 1979, ch. 117, par. 6504)

(Source: Repealed at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.20 Licensure (Repealed)

a) Licensure By Examination

- 1) Application Procedure: Each applicant shall file an application, on forms supplied by the Department, at least 60 calendar days prior to an examination date. The application shall include:
 - A) Completed college certification form showing degrees received and attendance, and an official transcript of educational credit;
 - B) Completed experience certification form(s) for the experience that the applicant is submitting to satisfy the experience requirements described in subsection (a)(2), below. Such form(s) shall be signed by the practicing structural engineer(s) who supervised the applicant; and
- C) The required fee.
- 2) Education and Experience Requirements: An applicant is qualified for the written examination who has graduated from:
 - A) An approved engineering curriculum, as defined in Section 1480.30(a) of this Part, of at least 4 years and submits evidence of 4 years of structural engineering experience in the employ of or under the immediate supervision of an engineer legally practicing structural engineering, during at least 2 of which the applicant has been in charge of work in designing or construction as defined in Section 1480.40 of this Part; or
 - B) An approved college curriculum of at least 4 years, resulting in a degree basic to engineering or science as defined in Section 1480.30(b) of this Part and submits evidence of at least 8 years of structural engineering experience in the employ of or under the immediate supervision of an engineer legally practicing structural engineering, during at least 2 of which the applicant has been in charge of work in designing or construction as defined in Section 1480.40 of this Part.
- 3) The Licensure Examination
 - A) The passing grade on the examination shall be an average of 75% with no grade in any division below 60%. The examination shall consist of the following 4 Divisions, each of which shall be of 4 hours duration:

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- i) **Division A1—Basic Engineering Science and General Engineering Knowledge.**—This Division consists of multiple-choice questions and may cover any area of general engineering knowledge, physics, theoretical and applied mechanics, mathematics, construction practice, economics, codes and engineering law.
- ii) **Division A2—Basic Engineering Mechanics and Structural Theory.**—This Division consists of problems to be solved in structural mechanics and analysis including dynamics.
- iii) **Division B1—Structural Design—General.**—This Division consists of five problems in structural design, one each in reinforced concrete, structural steel, foundation engineering, wood and masonry. Each problem constitutes 20% of the grade for this Division.
- iv) **Division B2—Structural Design—Specialized.**—In this Division, the examinee chooses one of three problem sets. Of the three problem sets, there will be one each dealing with structural design in reinforced concrete, structural steel and foundation engineering.
- B) **Registered Professional Engineers and Engineers in Training** who have obtained registration by written examination will be exempted from Division A1 of the examination.
- C) An applicant who fails the examination will be required, on his second and third examinations, to retake only those divisions on which he did not achieve a grade of at least 75%.
- D) An applicant who has failed the examination 2 times is ineligible for further examination until he submits evidence of completion, subsequent to his third failure, of a course of formal study approved by the Department in an approved engineering college in the area of the examination he has failed. For the purpose of retakes beyond the fourth examination, the fourth shall be considered the same as the first.

b) **Licensure by Endorsement**

- 1) **Application Procedure.**—Each applicant shall file an application, on forms supplied by the Department. The application shall include the same materials required under subsection (a)(1), above for applications for licensure by examination. In addition, the applicant shall submit a certification of his licensure in the jurisdiction in which licensure was obtained by written examination.
- 2) **Qualifications.**—Persons licensed or registered to practice structural engineering under the laws of another state or territory of the United States, or of a foreign country or province, whether registered as a

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structural engineer or as a professional engineer practicing structural engineering in states which do not provide for separate registration of structural engineers, may be granted a certificate of registration by endorsement in Illinois, provided that the statutory requirements applicable to that type of engineering at the time of original licensure were substantially equal to the requirements for licensure as a structural engineer then in force in this State. The education, structural engineering experience and other qualifications of each applicant will be evaluated subject to substantial equality of requirements.

- 2) In the event the applicant successfully completed (see subsection (a)(3)(A)) in another jurisdiction an examination equivalent to the Illinois Structural Engineering Licensure Examination, the applicant shall be licensed if he meets all other qualifications for licensure.
 - A) The Department may, in individual cases, upon recommendation of the Committee, waive a portion of the examination requirements set forth in this Section after consideration of the quality of an applicant's engineering education and experience, including whether he has graduated from an approved structural engineering program, has achieved special honors or awards, has had articles published in professional journals, has written or participated in the writing of textbooks of structural engineering and including any other circumstance or attribute which the Committee accepts as evidence that such applicant has outstanding and proven ability in the practice of structural engineering.
 - B) Applicants not meeting the above shall be required to take and successfully pass the Illinois Structural Engineering Examination and pay the required fee pursuant to Section 12(A)(2) of the Illinois Structural Engineering Act (the "Act").
 - 4) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department or the Committee because of discrepancies or conflicts in information, information needing further clarification and/or missing information, the licensee seeking restoration of his license will be requested to:
 - A) provide such information as may be necessary; or
 - B) explain such relevance or sufficiency during an oral interview; or
 - C) appear for an oral interview before the Committee designed to determine the individual's qualifications to practice under the Act.

(Source: Repealed at 15 Ill. Reg. 708L, effective April 29, 1991)

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Section 1480.30 Approved Education Qualifications (Repealed)

a) Approved Engineering Curriculum

1) An approved engineering curriculum shall consist of a course of study at an approved engineering college that includes a minimum of 12 semester hours (18 quarter hours) of structural design. Structural design shall include but not be limited to design courses in structural steel, reinforced concrete, wood, masonry, and foundation engineering.

2) A college of engineering shall be approved upon the recommendation by the Examining Committee and determination by the Department that it is substantially equivalent to the following:

- A) Bradley University, Peoria, Illinois
- B) Illinois Institute of Technology, Chicago, Illinois
- C) University of Illinois, Circle Campus, Chicago, Illinois
- D) University of Illinois, Urbana Campus, Urbana, Illinois
- E) Northwestern University, Evanston, Illinois
- F) Southern Illinois University, Carbondale, Illinois
- G) Southern Illinois University, Edwardsville, Illinois

2) In determining approval of a college of engineering, the Department may also take into consideration whether such school or college is included in the "accredited curricula" issued by the Accreditation Board for Engineering and Technology and whether the school or college has received the approval of the North Central Accreditation Association and such other evidence as the Department may determine.

b) Approval of Degrees-Basic to Engineering and Sciences--Degrees in other branches of engineering, such as mechanical engineering, and in disciplines basic to engineering and science, such as physics, engineering mechanics and the like, may be approved by the Department for the purpose of qualifying an applicant who also has eight years of engineering experience (see Rule II, A, 2(a)-(68 Ill. Adm. Code 1480.20(a)(2)(A))) to take the licensure examination. Degrees not directly related to engineering, such as degrees in biology, chemistry and the like will not be approved.

(Source: Repealed at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.40 Approved Experience Qualifications (Repealed)

The experience requirements described in Part A(2) of Rule II (68 Ill. Adm. Code 1480.20(a)(2)) may be satisfied as described below--All experience to satisfy this

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requirement must have been acquired after receipt of the bachelor's degree.

- a) Experience in Charge of Work in Designing or Construction--Each applicant must submit evidence of at least 2 years of engineering experience, in the employ of or under the immediate personal supervision of an engineer legally practicing structural engineering in charge of work in designing or construction. In this category, the applicant must have directed the work, with responsibility for the successful accomplishment of the work, including decisions on questions or methods of execution and suitability of materials.
- b) Other Approved Experience--The remaining requirements may be satisfied by work in the employ of or under the immediate personal supervision of a structural engineer requiring application of technical knowledge and structural engineering principles. Experience in this category may include a maximum of one year for a master's degree in an approved structural engineering curriculum with at least 6 semester hours (9 quarter hours) in structural design.

(Source: Repealed at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.45 Renewals (Renumbered)

(Source: Section 1480.45 renumbered to Section 1480.190, new Section 1480.190 adopted at 15 Ill. Reg. , effective)

Section 1480.50 Restoration of Expired Certificate (Repealed)

a) In order to determine fitness to have restored a certificate of registration which has expired for more than 5 years (as required in Section 9 of the Act), a registrant shall submit an application including the information required in Part A(1) of Rule II (68 Ill. Adm. Code 1480.20(a)(1)), except for documentation of education, along with evidence that he has maintained competence in structural engineering. Such evidence shall show that he has either been:

- 1) practicing structural engineering in another state;
- 2) working for the Federal or State government;
- 3) teaching structural engineering;
- 4) a member of the armed services; or
- 5) engaged in other similar occupations.

b) Each registrant seeking restoration of his certificate shall appear before the Examining Committee for an oral review of his qualifications.

(Source: Repealed at 15 Ill. Reg. 7081, effective April 29, 1991)

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Section 1480.60 Granting of Variances (Renumbered)

(Source: Section 1480.60 renumbered to Section 1480.220, new Section 1480.220 adopted at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.110 Approved Structural Engineering Curriculum

- a) The Department of Professional Regulation (the "Department") shall, upon the recommendation of the Structural Engineering Board (the "Board") approve an applicant's engineering or architecture curriculum if the degree is from an educational institution that is legally recognized and authorized by the jurisdiction in which it is located to confer a baccalaureate degree in engineering or architecture.
- b) The curriculum shall be at least 4 academic years, lead to the awarding of the baccalaureate degree, and provide integration of the educational experience with the ability to apply the knowledge gained to the identification and solution of practical problems.
- c) The curriculum of each applicant shall include a minimum of 18 semester hours of courses in the analysis, behavior, and design of structural elements and systems. These courses shall include, but not be limited to:

- 1) Structural analysis courses such as determinate and indeterminate structures, and stability; and
- 2) A minimum of 9 semester hours are required in structural design courses that may include structural steel, reinforced concrete, prestressed concrete, foundation, masonry, and wood engineering.
- 3) Courses such as mechanics (statics and dynamics), mechanics of materials, properties of materials, and soil mechanics shall not be included in the minimum 18 semester hours.

(Source: Amended Added at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.120 Definition of Degree in Related Science

- a) A Degree in Related Science is a four-year curriculum resulting in a baccalaureate degree that includes the indicated minimum number of semester hours in at least the following subjects:

Mathematics (beyond trigonometry) - 15 hours.
Basic Sciences (Physics and Chemistry) - 15 hours.
Additional Sciences and/or Engineering Sciences - 30 hours.

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- b) In evaluating the acceptability of an applicant's related science curriculum of a baccalaureate degree, the Board shall consider courses taken to attain a graduate degree in engineering and/or additional course credits in mathematics, science or engineering as education, when the course work of an applicant with a baccalaureate degree fails to satisfy the requirements of subsection (a). Not more than 15 hours may be made up in mathematics and basic sciences. Education considered in this manner shall not also be credited as engineering experience.
- c) The Department shall not accept educational courses in engineering technology as meeting the requirements for basic engineering or related science in accordance with this Section.
- d) Mathematics shall be beyond trigonometry, and include differential and integral calculus, and differential equations at the baccalaureate level. Mathematics may also include, but not be limited to, the study of probability, statistics, numerical analysis, and advanced calculus. Courses in computer usage and/or programming may not be used to satisfy the mathematics requirement.
- e) Basic sciences shall include basic physics and chemistry, and may also include life sciences, earth sciences, and/or advanced physics and chemistry, as appropriate to the engineering discipline being studied.

(Source: Amended Added at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.130 Approved Experience

- a) Each individual application shall be reviewed by the Board to determine whether the experience required for licensure meets the requirements described in this Section. Approved experience shall have been acquired after receipt of the baccalaureate degree.
- 1) Credit for one year of experience shall be given for completion of graduate study resulting in a master's or doctor's degree in structural engineering. The course of study shall include a minimum of at least 8 semester hours, or their equivalent (e.g., 12 quarter hours), of structural analysis, behavior, or design courses.
- 2) The maximum credit for graduate study shall be one year.
- 3) Credit for all required experience or any remaining experience as set forth in section 1480.140 shall be given for actual experience in the practice of structural engineering under the employ or immediate supervision of an engineer legally practicing structural engineering. Such experience shall require the application of technical knowledge and structural engineering principles.

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- 4) Each applicant shall submit evidence of at least 2 years of engineering experience in a position of responsible charge while in the employ of or under the immediate personal supervision of an engineer legally practicing structural engineering. In this category the applicant shall have directed the work, with responsibility for the successful accomplishment of the work, including demonstrated capability of making independent technical decisions to fulfill a structural engineering duty and being accountable for the performance of those duties.
- 5) Credit for a maximum of 3 years of the experience required for licensure shall be given for the full-time teaching of upper division junior/senior courses or graduate courses in structural engineering as a part of, or in conjunction with, an approved engineering curriculum as set forth in Section 1480.110. An academic year of full-time teaching (2 semesters, or 3 quarters) at a level of assistant professor, or higher, shall be considered equivalent to 6 months of the experience required for licensure. This teaching experience shall be fully documented, and certified by an affidavit from the department chairman, or dean, of the engineering curriculum involved. Applicants qualifying under this subsection are exempt from the requirement of subsection 4.
- b) While an applicant may receive either experience credit, education credit, teaching credit, or a combination of these, such applicant shall not receive more than one year's total credit for any one year (i.e., overlapping experience, education or teaching shall be credited to only one category).

(Source: Added at 15 Ill. Reg. 708L, effective April 29, 1991)

Section 1480.140 Application for Licensure by Examination

An applicant for licensure by examination shall file an application, on forms provided by the Department, by December 15 for the spring examination, or by June 15 for the fall examination. The application shall include the following:

- a) Verification of experience indicating the approved experience as set forth in Section 1480.130 of this Part;
- b) Certification of education of one of the following:
 - 1) A degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110. Completed college certification form showing receipt of a bachelor of science degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110; an official transcript of educational credit; and completed experience certification form(s) indicating the required 4 years of approved experience, except as provided in subsection (c), below; or

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- 2) A degree in a related science as set forth in Section 1480.120. Completed college certification form showing receipt of a bachelor of science degree in a related science; an official transcript of educational credit; and completed experience certification form(s), indicating the required 8 years of approved experience.
- c) If such applicant has ever been licensed in another jurisdiction, certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the following:
 - 1) The date of issuance of the applicant's license and the current status of such license;
 - 2) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and
 - 3) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant.
- d) A complete work history, on forms provided by the Department, indicating all employment since receipt of a baccalaureate degree; and
- e) The required fee specified in Section 17 of the Act.

(Source: Added at 15 Ill. Reg. 708L, effective April 29, 1991)

Section 1480.150 Examination

- a) The examination for licensure as a structural engineer shall be divided into three parts, each part being 8 hours in duration.
 - 1) Fundamentals of Engineering. This examination shall consist of problems or other examining techniques designed to evaluate the applicant's knowledge of the basic and engineering sciences and related subjects normally considered as the fundamentals of engineering.
 - 2) Part I of the Structures Examination. This examination shall consist of problems or other examining techniques relating to designs in or to the practice of structural engineering as described in Section 5 of the Act.
 - 3) Part II of the Structures Examination. This examination shall consist of problems or other examining techniques relating to designs in structural engineering. Such problems may include, but not be limited to bridges, buildings, foundations, and lateral forces. All applicants shall be required to successfully complete the solution of the specified seismic design problem contained in Part II of the structures examination.
- b) The examination administered by the Department shall be provided by the National Council of Examiners for Engineering and Surveying (NCEES). The specific examination content shall be as determined by periodic evaluations of the test specifications by NCEES.

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- c) The scoring of the examinations and determination of scores shall be as approved by NCEES.
- d) Separate scores shall be given for the Fundamentals of Engineering, Part I, and Part II. The passing score on the Fundamentals of Engineering and Part I shall be 70. Part II shall be graded as pass/fail.
- e) Retake of Examination.
- 1) Applicants shall be required to retake only the Part(s) on which a passing score was not achieved.
 - 2) If an applicant neglects, fails without an approved excuse (illness, military service, motor vehicle accident occurring on date of examination, etc.), or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing the application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee (Section 10 of the Act). New applications shall include proof of meeting the qualifications for examination in effect at the time of such new application except as provided for in subsection (f).
 - f) Successful scores of previously passed Parts of the examination shall be accepted for the purpose of licensure provided the applicant has met all other requirements for licensure as outlined in the Act. For such purposes the most recent score on a Part(s) shall be the score of record. In no circumstances shall the Department accept a previous passing score on a Part(s) for an applicant whose score of record is a failing score.

(Source: Added at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.160 Restoration

- a) A licensee seeking restoration of his license which has expired for less than 5 years shall have his license restored upon application to the Department and payment of the required fee specified in Sections 14 and 17 of the Act.
- b) A licensee seeking restoration of his license which has been placed on inactive status for less than 5 years shall have his certificate restored upon application to the Department and payment of the current renewal fee specified in

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- 1) Sworn evidence of active practice in another jurisdiction for at least the last 2 years. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice;
 - 2) An affidavit attesting to military service as provided in Section 14 of the Act. If application is made within 2 years of discharge, and if all other provisions of Section 14 of the Act are satisfied, the applicant shall not be required to pay a restoration fee or any lapsed renewal fees;
 - 3) Proof of passage of Part II of the examination provided in Section 1480.150 within the 5 years preceding restoration; or
 - 4) Other evidence of continued competence in structural engineering.
 - A) Other evidence shall include, but not be limited to:
 - i) Employment in a responsible capacity by a licensed structural engineer as determined by the Board;
 - ii) Lawfully practicing structural engineering as an employee of a governmental agency;
 - iii) Teaching structural engineering in a college or university; or
 - iv) Attendance at educational programs in structural engineering or a related field, including, but not limited to, attendance at graduate level engineering courses, professionally oriented continuing education classes or special seminars.
- B) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience required by subsection (4) above is questioned by the Department because of discrepancies or conflicts in information, information needing further clarification, and/or missing information, the licensee seeking restoration of his license shall be requested to:
- i) Provide such information as may be necessary; and/or
 - ii) Appear for an interview before the Board to explain such relevance or sufficiency when the information available to the Board is insufficient to evaluate the individual's current competence.

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Section 1480.170 Endorsement

- a) Any person who holds an unexpired certificate of registration or license to practice structural engineering, issued under the laws of another state or territory and who desires to become licensed by endorsement shall file an application, on forms provided by the Department, together with:
 - 1) Proof of meeting requirements substantially equivalent to those in force in this state at the time of original or subsequent licensure by examination in the other jurisdiction (i.e. a separate written 16 hour structural engineering examination), including certification of education, and verification of experience;
 - 2) A certification by the jurisdiction of original licensure and certification from the jurisdiction of predominant active practice including the following:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
 - B) The basis of licensure and a description of all examinations by which the applicant was licensed in that jurisdiction and the date of passage of any such examinations; and
 - C) Whether the records of the licensing authority contain any disciplinary action taken or pending against the applicant;
 - 3) If the qualifications of the applicant at the time of original licensure did not meet the requirements for licensure in this state at that time, the applicant may submit additional certifications of other jurisdictions to indicate meeting the qualifications in effect in this state at the time of any later licensure.
 - 4) A complete work history, on forms provided by the Department, indicating all employment since receipt of a baccalaureate degree; and
 - 5) The required fee set forth in Section 17(3) of the Act.

- b) The Department may, in individual cases, upon the recommendation of the Board, waive a portion of the examination requirements after consideration of the quality of an applicant's engineering education and experience, including whether he has graduated from an approved engineering curriculum, has achieved special honors or awards, has had numerous articles published in professional journals, has participated in the writing of textbooks relating to structural engineering, and any other attribute which the Board accepts as evidence that such applicant has outstanding and proven ability in the practice of structural engineering.

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- c) In order to provide background in structural engineering experience, an applicant licensed as a structural engineer in another state or territory, and who has met all previously stated requirements may be requested to appear before the Board for an oral interview at which questions will be asked to determine the applicant's qualifications and knowledge of structural engineering (i.e., see Section 1480.160 (c)(4)(B)). Specifically, questions may explore the applicant's knowledge concerning the design of concrete, structural steel, timber, masonry and foundations; also analysis procedures, design codes, materials and recommended practices for design and construction.
- d) The Department shall examine each endorsement application to determine whether the qualifications of the applicant at the time of original or subsequent licensure were substantially equivalent to the requirements then in force in this state. After review of the application the Department shall either issue a license by endorsement to the applicant or notify such applicant of the reasons for the denial of the application. An applicant not qualified for licensure by endorsement shall automatically be reviewed under the provisions of Section 1480.140.

(Source: Added at 15 Ill. Reg. 7081, effective April 29, 1991.)

Section 1480.180 Inactive Status

- a) Any licensed structural engineer who notifies the Department in writing on forms prescribed by the Department may elect to place his license on inactive status and shall be excused from the payment of renewal fees until he notifies the Department in writing of his desire to resume active status.
- b) Any licensee seeking restoration from inactive status shall do so in accordance with Section 1480.160 of this Part.
- c) Any licensed structural engineer whose license is on inactive status shall not practice engineering in the State of Illinois. Practicing or offering to practice on a license which is on inactive status shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 20 of the Act.

(Source: Added at 15 Ill. Reg. 7081, effective April 29, 1991.)

Section 1480.45-1480.190 Renewals (Renumbered)

- a) Every license certificate of registration issued to an individual under the Act shall expire on November 30 of each even numbered year. The holder of a license certificate of registration may renew such license certificate during the month preceding the expiration date thereof by paying the required fee set forth in Section 17 of the Act.

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- b) It is the responsibility of each licensee ~~register~~ to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.
- c) Every license issued to a corporation or partnership under the Act shall expire on April 30 of each even numbered year. The holder of such license may renew that license for a 2-year period during the month preceding the expiration date thereof by paying the required fee and submitting a current listing of structural engineers licensed in Illinois that are employed by the firm.
- d) Practicing or offering to practice on a license which has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 20 of the Act.

(Source: Section 1480.190 renumbered from Section 1480.45, amended at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.200 Corporations and Partnerships

- a) Persons who desire to practice structural engineering in this State in the form of a partnership or corporation (if the form is a corporation and such corporation was not formed under the Professional Service Corporation Act (Ill. Rev. Stat. 1987, 1989, ch. 32, par. 415-1, et seq.)) shall, in accordance with Section 19 of the Act, file an application with the Department, on forms provided by the Department, together with the following:

1) For Corporations:

- A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is licensed as a structural engineer.
- B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. The purpose clause of the Articles of Incorporation shall designate that the purpose of the corporation is to provide engineering services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State is also required.

- 2) For Partnerships An application containing the name of the partnership

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- member of the board or a member of the partnership who is an Illinois licensed structural engineer as the managing agent in charge of the structural engineering activities in this State and vesting in such managing agent full authority to make all final decisions involving structural engineering work within Illinois.
- 4) A list of all office locations in Illinois at which the corporation or partnership provides structural engineering services.
- b) Upon receipt of the above documents and review of the application, the Department shall issue a license authorizing the corporation to engage in the practice of structural engineering or notify the applicant of the reason for the denial of such application.

- c) Each corporation or partnership shall be responsible for notifying the Department within 30 days of any changes in:

- 1) The membership of the board of directors or the general partners; and
- 2) The licensure status of the general partners or any of the licensed structural engineer members of the board of directors.
- d) Each corporation or partnership shall be responsible for notifying the Department, in writing, by certified mail, within 10 business days of the termination or change in status of the managing agent. Thereafter, the corporation or partnership, if it has so informed the Department, has 30 days to notify the Department of the name and license number of the structural engineer licensed in Illinois who is the newly designated managing agent.
- e) Any failure to notify the Department as required in subsection (c) and (d) above or any failure of the corporation or partnership to continue to comply with the requirements of Section 19 of the Act will subject the corporation or partnership to the loss of its license to practice structural engineering in Illinois.

- f) The fee required in Section 17 of the Act.

(Source: Added at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.210 Standards of Professional Conduct

In order to safeguard life, health and property, to promote the public welfare, and to establish and maintain a high standard of integrity in the practice of structural

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- 1) Licensees shall at all times recognize that their primary obligation is to protect the life, health, property and welfare of the public. If their professional judgment is overruled under circumstances where the life, health, property or welfare of the public is endangered, they shall notify their client or employer and such authority(s) as may be appropriate (which may include the Department or other law enforcement agencies).
 - 2) Licensees shall approve and seal only those designs reviewed or prepared by them, and found to be safe for the public health, property and welfare.
 - 3) Licensees shall not reveal confidential facts, data or information obtained in a professional capacity without the prior consent of the client, except as authorized or required by law.
 - 4) Licensees shall not permit the use of their name or firm's name, nor shall they be associated in business ventures with persons or firms which they have reason to believe to be engaging in fraudulent or dishonest business practices.
 - 5) Licensees having knowledge of any alleged violation of any of this Part shall cooperate with the Department, furnishing such information or assistance as may be required to conduct an investigation resulting from a complaint.
- b) Competence. Licensees shall perform services only in areas of their competence.
- 1) Licensees shall undertake assignments only when qualified by education and experience in the specific technical field of engineering involved.
 - 2) Licensees shall not affix their signature or seal to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared or reviewed under their direct supervisory control.
 - 3) Licensees may accept an assignment outside of their fields of competence to the extent that their services are restricted to those phases of the project in which they are qualified, and to the extent that all other phases of the project will be performed by licensees qualified in those phases.
- c) Professional Integrity. Licensees shall issue professional statements in an objective and truthful manner.
- 1) Licensees shall be completely objective and truthful in all structural engineering reports, statements or testimony.
 - 2) Licensees may express publicly a professional opinion on technical subject(s) only when it is founded upon adequate knowledge of the facts and a background of competence in the subject matter.

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- 3) A licensee, when acting as a representative of an individual or organization, shall issue no statements, criticisms, or arguments on structural engineering matters without first prefacing such comments by explicitly identifying on whose behalf the comments will be made. When the licensee is acting as a consultant, expressing a professional opinion, such opinion shall be prefaced by complete personal identification as a consultant, without necessarily naming the client. Such licensee shall reveal any personal interest in the matter.
- d) Conflict of Interest. Licensees shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.
- 1) Licensees shall conscientiously avoid conflicts of interest with their employers or clients. Whenever conflicts of interest appear unavoidable, however, licensees shall disclose promptly to their employers or clients any business association, interest or circumstance which may influence judgment or quality of services.
 - 2) Licensees shall not accept compensation, financial or other, from more than one party for services on a project or for services pertaining to a project unless the licensee makes full disclosure and receives consent of all interested parties.
 - 3) Licensees shall not solicit or accept financial or other valuable consideration from any material supplier or equipment supplier for specifying the supplier's products except when the licensee is a known employee or agent of the supplier.
 - 4) Licensees shall not solicit or accept gratuities, directly or indirectly, from any contractor, architect, engineer or other party dealing with the licensee's employer or client in connection with work for which the licensee is responsible.
 - 5) Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their firm or organization serves as a member. Conversely, licensees serving as members, advisors or employees of a governmental body or department who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services solicited or provided by them or their organization.
- e) Employment Solicitation. Licensees shall avoid improper solicitation of professional employment.
- 1) Licensees shall not offer to pay, either directly or indirectly, any commission, political contribution, gift or other consideration in order to secure professional assignments.

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- 2) Licensees shall not falsify or permit misrepresentation of their, or their associates' academic or professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in or for the subject matter of prior assignments. Brochures or solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments with the intent or purpose of enhancing their qualifications and/or their work.

(Source: Added at 15 Ill. Reg. 7081, effective April 29, 1991)

Section 1480.60 1480.220 Granting of Variances (Renumbered)

- a) The Director may grant variances from these rules in individual cases where he finds that:

- 1) the provision from which the variance is granted is not statutorily mandated;
 - 2) no party will be injured by the granting of the variance; and
 - 3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Board Examining Committee of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

(Source: Section 1480.220 renumbered from Section 1480.60, amended at 15 Ill. Reg. 7081, effective April 29, 1991)

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- 1) The Heading of the Part: AID TO THE AGED, BLIND OR DISABLED
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) Section Numbers: Adopted Action:
113.155 Amendment
113.253 Amendment
113.260 Amendment

4) Statutory Authority:

89 Ill. Adm. Code 113.155

Sections 5-4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4 and 12-13)

89 Ill. Adm. Code 113.253 and 113.260

Sections 3-1.2, 3-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 3-1.2, 3-5 and 12-13)

- 5) Effective Date of Adopted Amendments: April 30, 1991

- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

- 7) Do these Adopted Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: April 30, 1991

- 9) Notices of Proposal Published in Illinois Register:

89 Ill. Adm. Code 113.155

January 25, 1991 (15 Ill. Reg. 804)

89 Ill. Adm. Code 113.253 and 113.260

February 8, 1991 (15 Ill. Reg. 1715)

- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

- 11) Differences between proposal and final version: No changes were made to these amendments.

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12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect?

89 Ill. Adm. Code 113.155

Yes

89 Ill. Adm. Code 113.253 and 113.260

No

14) Are there any Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

113.261 Amendment April 4, 1991
(15 Ill. Reg. 5517)

15) Summary and Purpose of Adopted Amendments:

89 Ill. Adm. Code 113.155

This rulemaking provides that the amount of the community spouse maintenance needs standards shall be increased for calendar years after 1989 by the same percentage as the consumer price index for all urban consumers.

89 Ill. Adm. Code 113.253 and 113.260

This rule revises the grant adjustment allowance and shelter care rates as a result of the increase in Social Security benefits. The Department is required under federal regulations to "pass-on" to AABD recipients the amount of the SSI cost of living increase. The Department does this by increasing the grant adjustment allowance, except for shelter care residents. For shelter care residents, the Department increases the shelter care rate (20 CFR 416.2095 thru 416.2098).

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

DEPARTMENT OF PUBLIC AID

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Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113

AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section
113.1 Description of the Assistance Program
113.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
113.9 Client Cooperation
113.10 Citizenship
113.20 Residence
113.30 Age
113.40 Blind
113.50 Disabled
113.60 Living Arrangement
113.70 Institutional Status
113.80 Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section
113.100 Unearned Income
113.101 Budgeting Unearned Income
113.102 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.103 Initial Receipt of Unearned Income
113.104 Termination of Unearned Income
113.105 Unearned Income In-Kind
113.106 Earmarked Income
113.107 Lump Sum Payments and Income Tax Refunds
113.108 Protected Income
113.109 Earned Income
113.110 Budgeting Earned Income
113.111 Protected Income
113.112 Earned Income
113.113 Budgeting Earned Income
113.114 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.115 Initial Employment
113.116 Budgeting Earned Income For Contractual Employees

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Section
113.117 Budgeting Earned Income For Non-contractual School Employees
113.118 Termination of Employment
113.120 Exempt Earned Income
113.125 Recognized Employment Expenses
113.130 Income From Work/Study/Training Programs
113.131 Earned Income From Self-Employment
113.132 Earned Income From Roomer and Boarder
113.133 Earned Income From Rental Property
113.134 Earned Income In-Kind
113.139 Payments from the Illinois Department of Children and Family Services
113.140 Assets
113.141 Exempt Assets
113.142 Asset Disregard
113.143 Deferral of Consideration of Assets
113.154 Property Transfers For Applications Filed Prior To October 1, 1989
113.155 Property Transfers For Applications Filed On Or After October 1, 1989
113.156 Court Ordered Child Support Payments of Parent/Step-Parent
113.157 Sponsors of Aliens
113.160 Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

Section
113.245 Payment Levels for AABD
113.246 Personal Allowance
113.247 Personal Allowance Amounts
113.248 Shelter
113.249 Utilities and Heating Fuel
113.250 Laundry
113.251 Telephone
113.252 Transportation, Lunches, Special Fees
113.253 Allowances for Increase in SSI Benefits
113.254 Nursing Care or Personal Care in Home Not Subject to Licensing
113.255 Sheltered Care in a Licensed Group Care Facility
113.256 Shopping Allowance
113.257 Special Allowances for Blind and Partially Sighted (Blind Only)
113.258 Home Delivered Meals
113.259 AABD Fuel and Utility Allowances By Area
113.260 Sheltered Care Rates

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Section
113.261

Cases in Licensed Intermediate Care Facilities,
Licensed Skilled Nursing Facilities, DMHDD
Facilities and All Other Licensed Medical Facilities

SUBPART E: OTHER PROVISIONS

Section
113.300

Persons Who May Be Included In the Assistance Unit

Section
113.301
113.302
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113.500

Grandfathered Cases
Interim Assistance
Special Needs Authorizations
Retrospective Budgeting
Budgeting Schedule
Purchase and Repair of Household Furniture
Property Repairs and Maintenance
Excess Shelter Allowance
Redetermination of Eligibility
Attorney's Fees for SSI Appellants

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of

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150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; emergency amendment at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive

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change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 13 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991;

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emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.155 Property Transfers For Applications Filed On Or After October 1, 1989

The provisions for the transfer of property (i.e., assets) listed below apply to residents of long term care facilities who apply for assistance on or after October 1, 1989, regardless of the date of the transfer and to residents whose application is filed prior to October 1, 1989, if the transfer occurs on or after October 1, 1989. These provisions do not apply to individuals who reside in the community.

a) A transfer of assets occurs when a resident of a long term care facility buys, sells or gives away real or personal property or changes (e.g., change from joint tenancy to tenancy in common) the way property is held.

b) A transfer is allowable if:

- 1) the transfer occurred more than thirty (30) months from the date of application;
- 2) a fair market value was received. Fair market value is the price that an article or piece of property might be expected to bring if offered for sale in a fair market. Fair market value is determined by statements obtained from institutions, community members, etc. (e.g., bankers, jewelers, reputable realtors, etc.) recognized as having knowledge of property values.
- 3) homestead property was transferred to:
 - A) a spouse;
 - B) the individual's child who is under age 21;
 - C) the individual's child who is blind or permanently and totally disabled;

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Section 113.155 Property Transfers For Applications Filed On
Or After October 1, 1989 (Cont'd)

- D) the individual's brother or sister who has an equity interest in the homestead property and who was residing in the home for at least one (1) year immediately prior to the date the individual entered the facility; or
- E) the individual's child who provided care for the individual and who was residing in the homestead property for two (2) years immediately prior to the date the individual entered the facility.

- 4) The transfer was to the community spouse or to another individual for the sole benefit of the community spouse and the amount transferred does not exceed the Community Spouse Asset Allowance. The Community Spouse Asset Allowance is an amount up to but not greater than \$62,580 that the resident may transfer, without affecting eligibility, to the community spouse or to another individual for the sole benefit of the community spouse. The amount of assets a resident may transfer to his or her community spouse is \$62,580 minus any non-exempt assets of the community spouse. The Community Spouse Asset Allowance, as of October 1, 1989, is an amount up to but not greater than \$60,000 that the resident may transfer, without affecting eligibility, to the community spouse or to another individual for the sole benefit of the community spouse. As of October 1, 1989, the amount of assets a resident may transfer to his or her community spouse is \$60,000 minus any non-exempt assets of the community spouse. The amount established as the Community Spouse Asset Allowance shall be increased for calendar years after 1989 by the same percentage as the percentage increase in the consumer price index for all urban consumers. The Community Spouse Asset Allowance is subject to the following qualifiers:

- A) The amount of assets sufficient to provide (the amount of income generated) the Community Spouse Maintenance Needs Allowance (as described at 89 Ill. Adm. 120.61) as determined by a fair hearing; or

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Section 113.155 Property Transfers For Applications Filed On
Or After October 1, 1989 (Cont'd)

- B) The amount transferred under a court order to the community spouse.
- 5) the transfer was to the individual's child who is blind or permanently and totally disabled or to another person for the sole benefit of the individual's child;
- 6) the individual intended to transfer the assets for fair market value;
- 7) It is determined that denial of assistance would create an undue hardship;
- 8) it is determined that the transfer was made for a reason other than to qualify for assistance; or
- 9) the transfer was to the community spouse and was the result of a court order.
- c) If the transfer does not fall within the listing of subsection (b) above, the client is ineligible beginning with the month in which such assets were transferred and until whichever occurs first:
- 1) the period of time the uncompensated amount of the asset would meet the monthly cost of long term care (private rate) at the facility; or
 - 2) thirty (30) months from the month of the transfer.

(Source: Amended at 15 Ill. Reg. 7104, effective April 30, 1991)

SUBPART D: PAYMENT AMOUNTS

Section 113.253 Allowances for Increase in SSI Benefits

- a) An allowance for \$207.90-\$228.90 is authorized for all AABD cases as a "grant adjustment". A grant adjustment is an allowance that ensures that the amount of the SSI increase from July 1977 and later will be available to clients.
- b) EXCEPTIONS: For clients whose assistance payments include an allowance for Sheltered Care or Care Not

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Section 113.253 Allowances for Increase in SSI Benefits

Subject to Licensing a "grant adjustment" of \$10.00 is authorized. Individuals receiving Interim Assistance or residing in long term group care facilities do not receive any "grant adjustment".

(Source: Amended at 15 Ill. Reg. 7104, effective April 30, 1991)

Section 113.260 Sheltered Care Rates

Group II Counties	Needs Assessment	Group III Counties
\$ 604.55 625.55	0-7	\$ 616.55 637.55
609.55 630.55	8	622.55 643.55
614.55 635.55	9	628.55 649.55
619.55 640.55	10	634.55 655.55
624.55 645.55	11	640.55 661.55
629.55 650.55	12	646.55 667.55
634.55 655.55	13	652.55 673.55
639.55 660.55	14	658.55 679.55
644.55 665.55	15	664.55 685.55
649.55 670.55	16	669.55 691.55
654.55 675.55	17	675.55 697.55
659.55 680.55	18	681.55 703.55
664.55 685.55	19	687.55 709.55
669.55 690.55	20	693.55 715.55
674.55 695.55	21	699.55 721.55
679.55 700.55	22	705.55 727.55
684.55 705.55	23	711.55 733.55

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Section 113.260 Sheltered Care Rates (Cont'd)

Group II Counties	Needs Assessment	Group III Counties
689.55 710.55	24	717.55 739.55

- a) Group II Counties are counties other than Cook, DuPage, Kane, Lake and Will.
- b) Group III Counties are Cook, DuPage, Kane, Lake and Will.
- c) Rate includes shelter factor and approved activity and social rehabilitation programs.

AGENCY NOTE: See 89 Ill. Adm. Code 140.850 through 140.885 for needs assessment guidelines.

(Source: Amended at 15 Ill. Reg. 7104, effective April 30, 1991)

1) The Heading of the Part: DRUG MANUAL

2) Code Citation: 89 Ill. Adm. Code 141

3) Section Numbers: Adopted Action:

- 141.560 Amendment
- 141.680 Amendment
- 141.760 Amendment
- 141.1125 Amendment
- 141.1200 Amendment
- 141.1240 Amendment
- 141.1520 Amendment
- 141.1840 Amendment
- 141.1880 Amendment
- 141.2040 Amendment
- 141.2400 Amendment
- 141.2520 Amendment
- 141.2640 Amendment
- 141.2920 Amendment
- 141.3320 Amendment
- 141.3560 Amendment
- 141.3600 Amendment
- 141.3640 Amendment
- 141.3720 Amendment
- 141.3800 Amendment
- 141.4240 Amendment
- 141.4360 Amendment
- 141.4520 Amendment
- 141.4560 Amendment
- 141.4680 Amendment

4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, Ch. 127, Par. 1005.02)

5) Effective Date of Adopted Amendments: April 30, 1991

6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 30, 1991

9) Notices of Proposal Published in Illinois Register:

January 25, 1991 (15 Ill. Reg. 831)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: No substantive changes made to this rulemaking.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments: With this rulemaking the Department makes several additions and deletions to various therapeutic categories of the Drug Manual.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER d: MEDICAL PROGRAMS

PART 141

DRUG MANUAL

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141.100	AGENCY NOTES
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141.240	ANALGESICS/NARCOTIC ANTAGONISTS: GOUT
141.280	ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE
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141.480	ANTICONVULSANTS
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141.560	ANTIHYPERTENSIVES
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141.640	ANTIMICROBIAL: ANTIFUNGALS
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141.1160	CALCIUM
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141.1240	CARDIOVASCULAR: ANTIARRHYTHMIC
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141.1320	CARDIOVASCULAR: BETA BLOCKERS
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141.1480	CONTRACEPTIVE: NONORAL
141.1500	DIAPER RASH PRODUCTS
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141.1560	DOPAMINE RECEPTOR AGONISTS
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141.2120	EYE/EAR/NOSE/THROAT: TOPICAL DECONGESTANTS
141.2160	GASTROINTESTINAL: ANTACID/ADSORBENTS
141.2200	GASTROINTESTINAL: ANTIDIARRHEA
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141.2520	HOMEOSTATIC/NUTRITIONAL: ALKALINIZERS
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141.2840	HORMONES/AGENTS AFFECTING MECHANISMS: ANDROGENS
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	CONTRACEPTIVES
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141.3200	IMMUNOSUPPRESSIVES
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141.3280	MEDICAL SUPPLIES
141.3320	MISCELLANEOUS
141.3360	NEUROMUSCULAR DISORDERS: MYASTHENIA GRAVIS
141.3400	ONCOLYTIC/ANTINEOPLASTIC: ALKYLATING

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141.3560	ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS
141.3600	OSTOMY SUPPLIES
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141.3960	PSYCHOTHERAPEUTIC: MISCELLANEOUS
141.4000	PSYCHOTHERAPEUTIC: SEDATIVE/HYPNOTIC
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141.4160	SKELETAL MUSCLE RELAXANTS
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141.4280	SKIN/MUCOUS MEMBRANE: ANTIPRURITICS/ANESTHETICS
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141.4720	URINARY ANTISPASMODICS
141.4760	VAGINAL: ANTI-INFECTIVES
141.4800	VAGINAL: MISCELLANEOUS

AUTHORITY: Implementing and authorized by Sections 5-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, pars. 5-5 and 12-13)

SOURCE: Emergency amendment at 5 Ill. Reg. 13555, effective December 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 9991, effective August 1, 1982; emergency amendment at 6 Ill. Reg. 10042, effective August 1, 1982, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 1178, effective February 1, 1983, for a maximum of 150 days; amended and codified as 89 Ill. Adm. Code 140.72 at 7 Ill. Reg. 17358, effective December 21, 1983; emergency amendment at 8 Ill. Reg.

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580, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13779, effective July 24, 1984; recodified from 89 Ill. Adm. Code 140.72 and 89 Ill. Adm. Code 140.73 at 8 Ill. Reg. 16354; amended at 9 Ill. Reg. 3335, effective March 1, 1985; Amended at 9 Ill. Reg. 19018, effective December 1, 1985; emergency amendment at 10 Ill. Reg. 8153, effective May 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 17681, effective September 28, 1986; emergency amendment at 10 Ill. Reg. 20828, effective December 1, 1986, for a maximum of 150 days; recodified from 89 Ill. Adm. Code 140.71 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 5235, effective March 12, 1987; emergency amendment at 11 Ill. Reg. 5330, effective March 13, 1987 for a maximum of 150 days; amended at 11 Ill. Reg. 11113, effective June 10, 1987; emergency amendment at 11 Ill. Reg. 11361, effective June 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16726, effective September 30, 1987; emergency amendment of 11 Ill. Reg. 20236, effective December 1, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7358, effective April 12, 1988; emergency amendment at 12 Ill. Reg. 10197, effective June 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14219, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 15667, effective September 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 20851, effective December 2, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 516, effective December 28, 1988; amended at 13 Ill. Reg. 3850, effective March 17, 1989; emergency amendment at 13 Ill. Reg. 8036, effective May 15, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 10700, effective June 15, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15672, effective September 22, 1989; amended at 13 Ill. Reg. 16982, effective October 20, 1989; emergency amendment at 14 Ill. Reg. 2657, effective February 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 3595, effective February 27, 1990; amended at 14 Ill. Reg. 6339, effective April 16, 1990; amended at 14 Ill. Reg. 9464, effective May 31, 1990; emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 12910, effective August 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 18015, effective October 30, 1990; amended at 14 Ill. Reg. 19325, effective November 27, 1990; emergency amendment at 15 Ill. Reg. 1121, effective January 15, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 7117, effective April 30, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SECTION 141.560	Item Number	Drug Name and Strength
**	00030450	CAPOTEN TABLET 12.5MG
**	00030452	CAPOTEN TABLET 25MG
**	00030562	CAPOTEN TABLET 50MG
**	00030485	CAPOTEN TABLET 100MG
**	00030338	CAPOZIDE TABLET 25/15
**	00030349	CAPOZIDE TABLET 25/25
**	00030384	CAPOZIDE TABLET 50/15
**	00030390	CAPOZIDE TABLET 50/25
**	05970031	CATAPRES-TTS-1 PATCHES
**	05970032	CATAPRES-TTS-2 PATCHES
**	05970033	CATAPRES-TTS-3 PATCHES
**	50000941	CLONIDINE HCL TABLET 0.1MG
**	50000943	CLONIDINE HCL TABLET 0.2MG
**	50000945	CLONIDINE HCL TABLET 0.3MG
**	00030283	CORZIDE TABLET 40MG; 5MG
**	00030284	CORZIDE TABLET 80MG; 5MG
**	00060690	DEMSEER CAPSULE 250MG
**	00830047	ESIMIL TABLET
**	50001614	GUANETHIDINE MONOSULFATE TABLET 10MG
**	50001616	GUANETHIDINE MONOSULFATE TABLET 25MG
**	50005686	HYDRALAZINE HCL INJECTION 20MG/ML AMP
**	50003074	HYDRALAZINE HCL TABLET 10MG
**	50003076	HYDRALAZINE HCL TABLET 25MG
**	50003078	HYDRALAZINE HCL TABLET 50MG
**	50003080	HYDRALAZINE HCL TABLET 100MG
**	50003066	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 15MG TABLET
**	50003068	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 25MG CAPSULE
**	50003070	HYDRALAZINE HCL 50MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
**	50003072	HYDRALAZINE HCL 100MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
**	50002981	HYDROCHLOROTHIAZIDE 15MG; METHYLDOPA 250MG TABLET
**	50002341	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 100MG TABLET
**	50002343	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 200MG TABLET
**	50002345	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 300MG TABLET
**	50002983	HYDROCHLOROTHIAZIDE 25MG; METHYLDOPA 250MG TABLET
**	50002403	HYDROCHLOROTHIAZIDE 25MG; METOPROLOL TARTRATE 50MG TABLET

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SECTION 141.560	Item Number	Drug Name and Strength
**	50002405	HYDROCHLOROTHIAZIDE 25MG; METOPROLOL TARTRATE 100MG TABLET
**	50005520	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 40MG TABLET
**	50005522	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 80MG TABLET
**	50003090	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.1MG TABLET
**	50003094	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.125MG TABLET
**	50002985	HYDROCHLOROTHIAZIDE 30MG; METHYLDOPA 500MG TABLET
**	50002987	HYDROCHLOROTHIAZIDE 50MG; METHYLDOPA 500MG TABLET
**	50002407	HYDROCHLOROTHIAZIDE 50MG; METOPROLOL TARTRATE 100MG TABLET
**	50004021	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 80MG LA CAPSULE
**	50004023	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 120MG LA CAPSULE
**	50004025	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 160MG LA CAPSULE
**	50003092	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.1MG TABLET
**	50003096	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.125MG TABLET
**	00180787	HYLOREL TABLET 10MG
**	00180788	HYLOREL TABLET 25MG
**	00743322	HYTRIN TABLET 1MG
**	00743323	HYTRIN TABLET 2MG
**	00743324	HYTRIN TABLET 5MG
**	00743325	HYTRIN TABLET 10MG
**	00060052	INVERSINE TABLET 2.5MG
**	50001825	LISINOPRIL TABLET 5MG
**	50001827	LISINOPRIL TABLET 10MG
**	50001829	LISINOPRIL TABLET 20MG
**	50001831	LISINOPRIL TABLET 40MG
**	00750082	LOZOL TABLET 2.5MG
**	50000712	METHYLDOPA ORAL SUSPENSION 250MG/5ML
**	50000714	METHYLDOPA TABLET 125MG
**	50000716	METHYLDOPA TABLET 250MG
**	50000718	METHYLDOPA TABLET 500MG
**	50000710	METHYLDOPATE HCL INJECTION 250MG/5ML
**	00694300	MINIZIDE CAPSULE 1.0MG/0.5MG
**	00694320	MINIZIDE CAPSULE 2.0MG/0.5MG

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SECTION 141.560 ANTIHYPERTENSIVES (Cont'd)

Item Number	Drug Name and Strength
** 00694360	MINIZIDE CAPSULE 5.0MG/0.5MG
** 50002096	MINOXIDIL TABLET 2.5MG
** 50002098	MINOXIDIL TABLET 10MG
** 50002751	PRazosin HCL CAPSULE 1MG
** 50002753	PRazosin HCL CAPSULE 2MG
** 50002755	PRazosin HCL CAPSULE 5MG
** 50005223	RESERPINE TABLET 0.1MG
** 50005231	RESERPINE TABLET 0.25MG
** 00318901	TENEX TABLET 1MG
** 00318903	TENEX TABLET 2MG
** 00380115	TENORETIC 50 TABLET
** 00380117	TENORETIC 100 TABLET
** 00060067	TIMOLIDE TABLET 10/25
** 00060720	VASERETIC TABLET 10/25
** 00063508	VASOTEC INJECTION 1.25MG/ML 2ML VIAL
** 00060014	VASOTEC TABLET 2.5MG
** 00060712	VASOTEC TABLET 5MG
** 00060713	VASOTEC TABLET 10MG
** 00060714	VASOTEC TABLET 20MG
** 00080073	WYTENSIN TABLET 4MG
** 00080074	WYTENSIN TABLET 8MG
** 00080092	WYTENSIN TABLET 16MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.680 ANTIMICROBIAL: ANTITUBERCULARS

Item Number	Drug Name and Strength
** 50001190	AMINOSALICYLATE SODIUM POWDER 480GM
** 50001192	AMINOSALICYLATE SODIUM TABLET 1GM
** 50001191	AMINOSALICYLATE SODIUM TABLET 500MG
** 50000502	AMINOSALICYLIC ACID EC TAB 500MG
** 60008008	ANTITUBERCULAR-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008007	ANTITUBERCULAR-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 00021485	CAPASTAT INJECTION 1GM/5ML AMP
** 50001193	ISONIAZID INJECTION 100MG/ML 10ML VIAL
** 50003271	ISONIAZID SYRUP 50MG/5ML
** 50003273	ISONIAZID TABLET 50MG
** 50003274	ISONIAZID TABLET 100MG
** 50003275	ISONIAZID TABLET 300MG

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SECTION 141.680 ANTIMICROBIAL: ANTITUBERCULARS (Cont'd)

Item Number	Drug Name and Strength
** 50001194	ISONIAZID 150MG; RIFAMPIN 300MG CAPSULE
** 00055015	MYAMBUTOL TABLET 100MG
** 00055084	MYAMBUTOL TABLET 400MG
** 50001197	PYRAZINAMIDE TABLET 500MG
** 50005225	RIFAMPIN CAP/TAB 300MG
** 50001198	RIFAMPIN CAPSULE 150MG
** 00020604	SEROMYCIN CAPSULE 250MG
** 00824130	TRECATOR-SC TABLET 250MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.760 ANTIMICROBIAL: ERYTHROMYCINS

Item Number	Drug Name and Strength
** 50001201	ERYTHROMYCIN BASE 125MG ENTERIC COATED CAPSULE
** 50001119	ERYTHROMYCIN BASE 250MG ENTERIC COATED CAPSULE
** 50001121	ERYTHROMYCIN BASE 250MG ENTERIC COATED TABLET
** 50001124	ERYTHROMYCIN BASE 250MG FILM COATED TABLET
** 50001122	ERYTHROMYCIN BASE 333MG ENTERIC COATED TABLET
** 50000881	ERYTHROMYCIN BASE 333MG PARTICLE TABLET
** 50001123	ERYTHROMYCIN BASE 500MG ENTERIC COATED TABLET
** 50001125	ERYTHROMYCIN BASE 500MG FILM COATED TABLET
** 50002804	ERYTHROMYCIN BASE 500MG PARTICLE TABLET
** 50002190	ERYTHROMYCIN ESTOLATE CAPSULE 125MG
** 50002191	ERYTHROMYCIN ESTOLATE CAPSULE 250MG
** 50002595	ERYTHROMYCIN ESTOLATE CHEW TAB 125MG
** 50002597	ERYTHROMYCIN ESTOLATE CHEW TAB 250MG
** 50002610	ERYTHROMYCIN ESTOLATE DROP 100MG/ML 10ML
** 50002615	ERYTHROMYCIN ESTOLATE ORAL SUSPENSION LIQUID 125MG/5ML
** 50002617	ERYTHROMYCIN ESTOLATE ORAL SUSPENSION LIQUID 250MG/5ML
** 50001141	ERYTHROMYCIN ESTOLATE ORAL SUSPENSION POWDER 125MG/5ML 150ML
** 50001140	ERYTHROMYCIN ESTOLATE ORAL SUSPENSION POWDER 125MG/5ML 60ML
** 50002192	ERYTHROMYCIN ESTOLATE TABLET 500MG
** 50002596	ERYTHROMYCIN ETHYLSUC CHEW TAB 200MG
** 50003405	ERYTHROMYCIN ETHYLSUC IM INJ 100MG/2ML AMP
** 50003406	ERYTHROMYCIN ETHYLSUC IM INJ 100MG/2ML S
** 50003407	ERYTHROMYCIN ETHYLSUC IM INJ 50MG/ML 10ML
** 50002616	ERYTHROMYCIN ETHYLSUC SUSP/LIQ 200MG/5ML

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SECTION 141.760 ANTIMICROBIAL: ERYTHROMYCINS (Cont'd)

SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL (Cont'd)

Item Number	Drug Name and Strength
** 50002620	ERYTHROMYCIN ETHYLSUC SUSP/LIQ 400MG/5ML
** 50002590	ERYTHROMYCIN ETHYLSUC TAB 400MG
** 50002611	ERYTHROMYCIN ETHYLSUC 100MG/2.5ML 30ML
** 50002613	ERYTHROMYCIN ETHYLSUC 100MG/2.5ML 50ML
** 50003408	ERYTHROMYCIN GLUCEPTATE IV INJ 250MG AMP
** 50003409	ERYTHROMYCIN GLUCEPTATE IV INJ 500MG AMP
** 50003410	ERYTHROMYCIN LACTOBIONATE IV INJ 1GM AMP
** 50003411	ERYTHROMYCIN LACTOBIONATE IV INJ 500MG VIAL
** 50003412	ERYTHROMYCIN STEARATE COATED TAB 125MG
** 50002594	ERYTHROMYCIN STEARATE COATED TAB 250MG
** 50002607	ERYTHROMYCIN STEARATE COATED TAB 500MG
** 50002608	ERYTHROMYCIN-INJECTION-NOT OTHERWISE LISTED-
** 60008004	IF LAW REQUIRES RX
** 60008003	ERYTHROMYCIN- ORAL- NOT OTHERWISE LISTED-
	IF LAW REQUIRES RX

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.1125 BLOOD: MISCELLANEOUS

Item Number	Drug Name and Strength
** 05553126	EPOGEN INJECTION 2,000U/ML 1ML VIAL
** 05553267	(MUST BILL MEDICARE FIRST, IF ELIG.)
** 05553148	EPOGEN INJECTION 3,000U/ML 1ML VIAL (MUST BILL MEDICARE FIRST, IF ELIG.)
** 05553144	EPOGEN INJECTION 4,000U/ML 1ML VIAL
** 00390078	(MUST BILL MEDICARE FIRST, IF ELIG.)
	TRENTAL CONTROLLED RELEASE TABLET 400MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL

Item Number	Drug Name and Strength
** 00332437	CARDENE CAPSULE 20MG
** 00332438	CARDENE CAPSULE 30MG

Item Number	Drug Name and Strength
** 00810166	CARDILATE TABLET ORAL/SUBLING 5MG
** 00810168	CARDILATE TABLET ORAL/SUBLING 10MG
** 00881777	CARDIZEM SR CAPSULE 60MG
** 00881778	CARDIZEM SR CAPSULE 90MG
** 00881779	CARDIZEM SR CAPSULE 120MG
** 00881771	CARDIZEM TABLET 30MG
** 00881772	CARDIZEM TABLET 60MG
** 00881791	CARDIZEM TABLET 90MG
** 00881792	CARDIZEM TABLET 120MG
** 50003265	ISOSORBIDE DINITRATE TAB 2.5MG SUBLINGUAL
** 50003267	ISOSORBIDE DINITRATE TAB 5MG ORAL
** 50003281	ISOSORBIDE DINITRATE TAB 5MG SUBLINGUAL
** 50003280	ISOSORBIDE DINITRATE TAB 10MG ORAL
** 50003278	ISOSORBIDE DINITRATE TAB 10MG SUBLINGUAL
** 50003285	ISOSORBIDE DINITRATE TAB 20MG ORAL
** 50003284	ISOSORBIDE DINITRATE TAB/CAP 30MG ORAL
** 50003270	ISOSORBIDE DINITRATE TAB/CAP 40MG ORAL
** 50003282	ISOSORBIDE DINITRATE TAB/CAP 40MG SA
** 50001865	NIFEDIPINE CAPSULE 10MG
** 50002527	NIFEDIPINE CAPSULE 20MG
** 50002200	NIFEDIPINE TABLET SUSTAINED RELEASE 30MG
** 50002202	NIFEDIPINE TABLET SUSTAINED RELEASE 60MG
** 50002204	NIFEDIPINE TABLET SUSTAINED RELEASE 90MG
** 00262855	NIMOTOP CAPSULE 30MG
** 50005521	NITROGLYCERIN AEROSOL SPRAY 0.4MG/DOSE 13.8GM
	UNIT 200 DOSES/UNIT
** 50000746	NITROGLYCERIN OINTMENT 20GM
** 50000748	NITROGLYCERIN OINTMENT 30GM
** 50000750	NITROGLYCERIN OINTMENT 60GM
** 50002040	NITROGLYCERIN PATCH 3.3CM2 2.5MG/24HR
** 50002035	NITROGLYCERIN PATCH 5CM2 2.5MG/24HR
** 50002042	NITROGLYCERIN PATCH 6.7CM2 5MG/24HR
** 50002133	NITROGLYCERIN PATCH 8CM2 5MG/24HR
** 50002034	NITROGLYCERIN PATCH 10CM2 5MG/24HR
** 50002033	NITROGLYCERIN PATCH 10CM2 5MG/24HR
** 50002048	NITROGLYCERIN PATCH 13.3CM2 10MG/24HR
** 50002037	NITROGLYCERIN PATCH 15CM2 7.5MG/24HR
** 50002138	NITROGLYCERIN PATCH 16CM2 5MG/24HR
** 50002134	NITROGLYCERIN PATCH 16CM2 10MG/24HR
** 50002036	NITROGLYCERIN PATCH 20CM2 10MG/24HR
** 50002049	NITROGLYCERIN PATCH 20.0CM2 15MG/24HR
** 50005135	NITROGLYCERIN PATCH 30CM2 15MG/24HR
** 50002140	NITROGLYCERIN PATCH 32CM2 10MG/24HR
** 50000770	NITROGLYCERIN SR TAB/CAP 1.3MG
** 50000772	NITROGLYCERIN SR TAB/CAP 2.5MG 60's

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SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL (Cont'd)

Item Number	Drug Name and Strength
** 50000774	NITROGLYCERIN SR TAB/CAP 2.5MG 100'S
** 50000776	NITROGLYCERIN SR TAB/CAP 2.6MG
** 50000778	NITROGLYCERIN SR TAB/CAP 6.5MG 60'S
** 50000780	NITROGLYCERIN SR TAB/CAP 6.5MG 100'S
** 50000782	NITROGLYCERIN SR TAB/CAP 9.0MG 60'S
** 50000784	NITROGLYCERIN SR TAB/CAP 9.0MG 100'S
** 50000732	NITROGLYCERIN SUBLINGUAL TAB 0.15MG 25'S
** 50000730	NITROGLYCERIN SUBLINGUAL TAB 0.15MG 100'S
** 50000736	NITROGLYCERIN SUBLINGUAL TAB 0.3MG 25'S
** 50000734	NITROGLYCERIN SUBLINGUAL TAB 0.3MG 100'S
** 50000740	NITROGLYCERIN SUBLINGUAL TAB 0.4MG 25'S
** 50000738	NITROGLYCERIN SUBLINGUAL TAB 0.4MG 100'S
** 50000744	NITROGLYCERIN SUBLINGUAL TAB 0.6MG 25'S
** 50000742	NITROGLYCERIN SUBLINGUAL TAB 0.6MG 100'S
** 50003874	NITROGLYCERIN TRANSMUCOSAL CONTROLLED RELEASE TABLET 1MG
** 50003876	NITROGLYCERIN TRANSMUCOSAL CONTROLLED RELEASE TABLET 2MG
** 50003878	NITROGLYCERIN TRANSMUCOSAL CONTROLLED RELEASE TABLET 3MG
** 50004221	VERAPAMIL HCL SUSTAINED RELEASE PELLETTED CAPSULE 120MG
** 50004223	VERAPAMIL HCL SUSTAINED RELEASE PELLETTED CAPSULE 240MG
** 50004218	VERAPAMIL HCL TABLET 40MG
** 50004220	VERAPAMIL HCL TABLET 80MG
** 50004222	VERAPAMIL HCL TABLET 120MG
** 50004226	VERAPAMIL HCL TABLET SUST RELEASE 180MG
** 50004224	VERAPAMIL HCL TABLET SUST RELEASE 240MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.1240 CARDIOVASCULAR: ANTIARRHYTHMIC

Item Number	Drug Name and Strength
** 00345470	CARDIOQUIN TABLET 275MG
** 50003901	DISOPYRAMIDE PHOSPHATE CAPSULE 100MG
** 50003903	DISOPYRAMIDE PHOSPHATE CAPSULE 150MG
** 50003905	DISOPYRAMIDE PHOSPHATE CONTROLLED RELEASE CAPSULE 100MG
** 50003907	DISOPYRAMIDE PHOSPHATE CONTROLLED RELEASE CAPSULE 150MG

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SECTION 141.1240 CARDIOVASCULAR: ANTIARRHYTHMIC (Cont'd)

Item Number	Drug Name and Strength
** 00560061	ETHMOZINE TABLET 200MG
** 00560062	ETHMOZINE TABLET 250MG
** 00560064	ETHMOZINE TABLET 300MG
** 05970066	MEXITIL CAPSULE 150MG
** 05970067	MEXITIL CAPSULE 200MG
** 05970068	MEXITIL CAPSULE 250MG
G 50004048	PROCAINAMIDE HCL INJ 100MG/ML 10ML VIAL
G 50004050	PROCAINAMIDE HCL INJ 500MG/ML 2ML VIAL
** 50004043	PROCAINAMIDE HCL SR TABLET 250MG
** 50004047	PROCAINAMIDE HCL SR TABLET 500MG
** 50004049	PROCAINAMIDE HCL SR TABLET 750MG
** 50004051	PROCAINAMIDE HCL SR TABLET 1000MG
** 50004042	PROCAINAMIDE HCL TAB/CAP 250MG
** 50004044	PROCAINAMIDE HCL TAB/CAP 375MG
** 50004046	PROCAINAMIDE HCL TAB/CAP 500MG
** 50004066	QUINIDINE GLUCONATE TAB/CAP 324/330MG TD
** 50000985	QUINIDINE SULFATE TABLET CR 300MG
** 50005141	QUINIDINE SULFATE TABLET 100MG
** 50005142	QUINIDINE SULFATE TABLET 200MG
** 50005143	QUINIDINE SULFATE TABLET 300MG
** 98999314	RAMBECOR-TABLET-150MG
** 00060707	TONOCARD TABLET 400MG
** 00060709	TONOCARD TABLET 600MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.1520 DIURETICS

Item Number	Drug Name and Strength
** 50002400	ACETAZOLAMIDE SUSTAINED RELEASE CAPSULE 500MG
** 50002404	ACETAZOLAMIDE TABLET 125MG
** 50002406	ACETAZOLAMIDE TABLET 250MG
** 50002039	AMILORIDE HCL 5MG; HYDROCHLOROTHIAZIDE 50MG TABLET
** 50005510	CHLOROTHIAZIDE SUSPENSION 250MG/5ML
** 50005250	CHLOROTHIAZIDE TABLET 250MG
** 50005500	CHLOROTHIAZIDE TABLET 500MG
** 00060049	DARANIDE TABLET 50MG
** 04840806	DYRENIUM CAPSULE 50MG
** 04840807	DYRENIUM CAPSULE 100MG
** 00060065	EDECRIN TABLET 25MG
** 00060090	EDECRIN TABLET 50MG

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SECTION 141.1520 DIURETICS (Cont'd)

Item Number	Drug Name and Strength
** 50000460	FUROSEMIDE INJECTION 10MG/ML 2ML AMP
** 50000464	FUROSEMIDE INJECTION 10MG/ML 4ML AMP
** 50000468	FUROSEMIDE INJECTION 10MG/ML 10ML AMP
** 50000470	FUROSEMIDE ORAL SOLUTION 10MG/ML 60ML
** 50000472	FUROSEMIDE ORAL SOLUTION 10MG/ML 120ML
** 50000474	FUROSEMIDE TABLET 20MG
** 50000476	FUROSEMIDE TABLET 40MG
** 50000478	FUROSEMIDE TABLET 80MG
** 50003158	HYDROCHLOROTHIAZIDE TABLET 25MG
** 50003166	HYDROCHLOROTHIAZIDE TABLET 50MG
** 50003168	HYDROCHLOROTHIAZIDE TABLET 100MG
** 50007363	HYDROCHLOROTHIAZIDE 25MG; SPIRONOLATONE 25MG TABLET
** 50007167	HYDROCHLOROTHIAZIDE 25MG; TRIAMTERENE 37.5MG TABLET
** 50000530	HYDROCHLOROTHIAZIDE 25MG; TRIAMTERENE 50MG CAPSULE
** 50007169	HYDROCHLOROTHIAZIDE 50MG; TRIAMTERENE 75MG TABLET
** 50003588	METHYLCLOTHIAZIDE TABLET 2.5MG
** 50003589	METHYLCLOTHIAZIDE TABLET 5.0MG
** 50005596	METOLAZONE TABLET 0.5MG
** 50005693	METOLAZONE TABLET 2.5MG
** 50005694	METOLAZONE TABLET 5MG
** 50005695	METOLAZONE TABLET 10MG
** 00054565	NEPTAZANE TABLET 25MG
** 00054570	NEPTAZANE TABLET 50MG
** 50007362	SPIRONOLACTONE TABLET 25MG
** 50007364	SPIRONOLACTONE TABLET 100MG
** 50004073	TRICHLORMETHIAZIDE TABLET 2MG
** 50004081	TRICHLORMETHIAZIDE TABLET 4MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.1840 EYE/EAR/NOSE/THROAT: LUBRICANTS

Item Number	Drug Name and Strength
02471805	ADSORBOTEAR 15CC
00230309	LACRI-LUBE SOP OPHTHALMIC OINT 3.5GM TUBE
00231309	LACRI-LUBE SOP OPHTHALMIC OINT 7GM TUBE

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SECTION 141.1840 EYE/EAR/NOSE/THROAT: LUBRICANTS (Cont'd)

Item Number	Drug Name and Strength
** 00063380	LACRISERT OPHTHALMIC INSERT (Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)
SECTION 141.1880	EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
Item Number	Drug Name and Strength
** 01190469	BETAGAN OPHTHALMIC SOLUTION 0.25% 5ML
** 01191469	BETAGAN OPHTHALMIC SOLUTION 0.25% 10ML
** 00230252	BETAGAN OPHTHALMIC SOLUTION 0.5% 5ML
** 00231252	BETAGAN OPHTHALMIC SOLUTION 0.5% 10ML
** 00232252	BETAGAN OPHTHALMIC SOLUTION 0.5% 15ML
** 00652246	BETOPTIC S OPHTHALMIC SOLN 0.25% 2.5ML
** 00650246	BETOPTIC S OPHTHALMIC SOLN 0.25% 5.0ML
** 00651246	BETOPTIC S OPHTHALMIC SOLN 0.25% 15.0ML
** 00651245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 2.5ML
** 00650245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 5ML
** 00650255	BETOPTIC OPHTHALMIC SOLUTION 0.5% 10ML
** 00652245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 15ML
50000110	CARBACHOL OPHTHALMIC SOLUTION 0.75% 15ML
50000111	CARBACHOL OPHTHALMIC SOLUTION 1.5% 15ML
50000112	CARBACHOL OPHTHALMIC SOLUTION 2.25% 15ML
50000113	CARBACHOL OPHTHALMIC SOLUTION 3.0% 15ML
50000270	ECHOTHIOPHATE IODIDE 1.5MG (0.03%) 5ML
50000271	ECHOTHIOPHATE IODIDE 3.0MG (0.06%) 5ML
50000272	ECHOTHIOPHATE IODIDE 6.25MG (0.125%) 5ML
50000273	ECHOTHIOPHATE IODIDE 12.5MG (0.25%) 5ML
50000290	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 0.5% (AS 1.0% BITARTRATE) 15ML
50000292	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 1.0% (AS 2.0% BITARTRATE) 7.5ML
50000294	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 1.0% (AS 2.0% BITARTRATE) 15ML
50000300	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 0.25% 7.5ML
50000302	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 0.5% 7.5ML
50000304	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 1.0% 7.5ML
50000310	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.25% 15ML

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SECTION 141.1880 EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
(Cont'd)

Item Number	Drug Name and Strength
50000314	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.5% 10ML
50000316	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.5% 15ML
50000320	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 1.0% 10ML
50000322	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 1.0% 15ML
50000326	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 2.0% 10ML
50000328	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 2.0% 15ML

FLOROPRYL OPHTHALMIC OINTMENT 0.025% 3.5GM

TUBE

** 00063255	HUMORSOL OPHTHALMIC SOLUTION 0.125% 5ML
** 00063267	HUMORSOL OPHTHALMIC SOLUTION 0.25% 5ML
00461013	OPHTHALGAN SOLUTION 7.5ML
** 03039944	OPTIPRANOLOL OPHTHALMIC SOLN 0.3% 10ML
** 03038944	OPTIPRANOLOL OPHTHALMIC SOLN 0.3% 5ML

00230090	P V CARPINE OPHT SOLN 0.5% 15ML
00230091	P V CARPINE OPHT SOLN 1.0% 15ML
00230092	P V CARPINE OPHT SOLN 2.0% 25ML
00230093	P V CARPINE OPHT SOLN 3.0% 15ML
00230094	P V CARPINE OPHT SOLN 4.0% 15ML
00230096	P V CARPINE OPHT SOLN 6.0% 15ML
** 50000850	PILOCARPINE HCL OPHT SOLN 0.25% 10ML
** 50000852	PILOCARPINE HCL OPHT SOLN 0.5% 15ML
** 50000854	PILOCARPINE HCL OPHT SOLN 0.5% 30ML
** 50000856	PILOCARPINE HCL OPHT SOLN 1.0% 15ML
** 50000858	PILOCARPINE HCL OPHT SOLN 1.0% 30ML
** 50000860	PILOCARPINE HCL OPHT SOLN 1.5% 15ML
** 50000862	PILOCARPINE HCL OPHT SOLN 2.0% 15ML
** 50000864	PILOCARPINE HCL OPHT SOLN 2.0% 30ML
** 50000866	PILOCARPINE HCL OPHT SOLN 3.0% 15ML
** 50000868	PILOCARPINE HCL OPHT SOLN 3.0% 30ML
** 50000870	PILOCARPINE HCL OPHT SOLN 4.0% 15ML
** 50000872	PILOCARPINE HCL OPHT SOLN 4.0% 30ML
** 50000874	PILOCARPINE HCL OPHT SOLN 5.0% 15ML
** 50000876	PILOCARPINE HCL OPHT SOLN 6.0% 15ML
** 50000878	PILOCARPINE HCL OPHT SOLN 6.0% 30ML
** 50000880	PILOCARPINE HCL OPHT SOLN 8.0% 15ML
** 50000882	PILOCARPINE HCL OPHT SOLN 10.0% 15ML
** 00230160	PROPINE OPHTHALMIC SOLUTION 0.1% 5ML
** 00230260	PROPINE OPHTHALMIC SOLUTION 0.1% 10ML

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SECTION 141.1880 EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
(Cont'd)

Item Number	Drug Name and Strength
** 00230360	PROPINE OPHTHALMIC SOLUTION 0.1% 15ML
** 50007404	TIMOLOL MALEATE OPHT SOLN 0.25% 0.45ML
** 50007405	TIMOLOL MALEATE OPHT SOLN 0.25% 5ML
** 50007406	TIMOLOL MALEATE OPHT SOLN 0.25% 10ML
** 50007409	TIMOLOL MALEATE OPHT SOLN 0.25% 15ML
** 50007411	TIMOLOL MALEATE OPHT SOLN 0.5% 0.45ML
** 50007407	TIMOLOL MALEATE OPHT SOLN 0.5% 5ML
** 50007408	TIMOLOL MALEATE OPHT SOLN 0.5% 10ML
** 50007410	TIMOLOL MALEATE OPHT SOLN 0.5% 15ML

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.2040 EYE/EAR/NOSE/THROAT: SULFONAMIDES

Item Number	Drug Name and Strength
** 00041501	GANTRISIN-OPHTHALMIC-OINTMENT-1/803-TUBE
** 00041702	GANTRISIN OPHTHALMIC SOLN
** 50001090	SULFACETAMIDE SODIUM OPHTHALMIC OINTMENT 10.0%
** 50001094	SULFACETAMIDE SODIUM OPHTHALMIC SOLUTION 10.0% 15ML
** 50001092	SULFACETAMIDE SODIUM OPHTHALMIC SOLUTION 10.0% 5ML
** 50001098	SULFACETAMIDE SODIUM OPHTHALMIC SOLUTION 15.0% 15ML
** 50001096	SULFACETAMIDE SODIUM OPHTHALMIC SOLUTION 15.0% 5ML
** 50001100	SULFACETAMIDE SODIUM OPHTHALMIC SOLUTION 30.0% 15ML
** 00583883	VASOSULF OPHT SOLN 5CC
** 00582883	VASOSULF OPHT SOLN 15CC

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.2400 GASTROINTESTINAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 00830153	ACTIGALL CAPSULE 300MG
** 00023144	AXID CAPSULE 150MG

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SECTION 141.2400 GASTROINTESTINAL: MISCELLANEOUS (Cont'd)

Item Number	Drug Name and Strength
00023145	AXID CAPSULE 300MG
00881712	CARAFATE TABLET 1GM
** 00251451	CYTOTEC TABLET 100MCG
** 00251461	CYTOTEC TABLET 200MCG
50004242	METOCLOPRAMIDE HCL SYRUP 5MG/5ML
50004924	METOCLOPRAMIDE HCL TABLET 5MG
50004916	METOCLOPRAMIDE HCL TABLET 10MG
00063539	PEPCID INJECTION 20MG/2ML ONE DOSE VIAL
00063541	PEPCID INJECTION 20MG/2ML TWO DOSE VIAL
00063538	PEPCID SUSPENSION 40MG/5ML
00060963	PEPCID TABLET 20MG
00060964	PEPCID TABLET 40MG
** 00060742	PRILOSEC CAPSULE 20MG
** 00321924	ROWASA RECTAL SUSPENSION ENEMA 4GM/60ML
01085029	TAGAMET INJECTION 300MG IN SODIUM CHLORIDE 0.9% 50ML PLASTIC CONTAINERS
01085017	TAGAMET INJECTION 300MG/2ML 2ML VIAL
01085022	TAGAMET INJECTION 300MG/2ML 8ML VIAL
01085014	TAGAMET ORAL LIQUID 300MG/5ML
01085012	TAGAMET TABLET 200MG
01085013	TAGAMET TABLET 300MG
01085026	TAGAMET TABLET 400MG
01085027	TAGAMET TABLET 800MG
01730362	ZANTAC INJECTION 25MG/ML 2ML VIAL
01730363	ZANTAC INJECTION 25MG/ML 10ML VIAL
01730383	ZANTAC SYRUP 15MG/ML
01730344	ZANTAC TABLET 150MG
01730393	ZANTAC TABLET 300MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.2520 HOMEOSTATIC/NUTRITIONAL: ALKALINIZERS

Item Number	Drug Name and Strength
** 50004948	SODIUM BICARBONATE INJ 7.5% 50ML AMP
** 50004947	SODIUM BICARBONATE INJ 7.5% 50ML SYRINGE
** 50004949	SODIUM BICARBONATE INJ 8.4% 10ML SYRINGE
** 50004950	SODIUM BICARBONATE INJ 8.4% 50ML SYRINGE
** 50005600	SODIUM BICARBONATE INJ 8.4% 50ML VIAL

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

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SECTION 141.2640 HOMEOSTATIC/NUTRITIONAL: IV FLUIDS

Item Number	Drug Name and Strength
50000084	DEXTROSE INJECTION 50% 50ML AMP/VIAL
50000085	DEXTROSE INJECTION 50% 50ML SYRINGE
** 50001553	IV SOLN-DEXTROSE 5% IN WATER 250ML
** 50001447	IV SOLN-DEXTROSE 5% 0.50L
** 50001448	IV SOLN-DEXTROSE 5% 1.00L
** 50001451	IV SOLN-DEXTROSE 5% LACTATED RINGER 0.50L
** 50001452	IV SOLN-DEXTROSE 5% LACTATED RINGER 1.00L
** 50001453	IV SOLN-DEXTROSE 5% NACL 0.20% 0.50L
** 50001454	IV SOLN-DEXTROSE 5% NACL 0.20% 1.00L
** 50001457	IV SOLN-DEXTROSE 5% NACL 0.45% 0.50L
** 50001458	IV SOLN-DEXTROSE 5% NACL 0.45% 1.00L
** 50001459	IV SOLN-DEXTROSE 5% NACL 0.90% 0.50L
** 50001460	IV SOLN-DEXTROSE 5% NACL 0.90% 1.00L
** 50001551	IV SOLN-DEXTROSE 5% PIGGY-BACK 100ML
** 50001550	IV SOLN-DEXTROSE 5% PIGGY-BACK 50ML
** 50001461	IV SOLN-DEXTROSE 5% RINGERS 0.50L
** 50001462	IV SOLN-DEXTROSE 5% RINGERS 1.00L
** 50001465	IV SOLN-DEXTROSE 10% NACL 0.9% 1.00L
** 50001463	IV SOLN-DEXTROSE 10% 0.50L
** 50001464	IV SOLN-DEXTROSE 10% 1.00L
** 50001483	IV SOLN-LACTATED RINGERS 0.50L
** 50001484	IV SOLN-LACTATED RINGERS 1.00L
** 50001486	IV SOLN-MANNITOL 10% 0.50L
** 50001487	IV SOLN-MANNITOL 10% 1.00L
** 50001490	IV SOLN-MANNITOL 20% 0.25L
** 50001491	IV SOLN-MANNITOL 20% 0.50L
** 50001523	IV SOLN-RINGERS 0.50L
** 50001524	IV SOLN-RINGERS 1.00L
** 50001526	IV SOLN-SODIUM CHLORIDE 0.45% 1.00L
** 50001552	IV SOLN-SODIUM CHLORIDE 0.9% 250ML
** 50001527	IV SOLN-SODIUM CHLORIDE 0.9% 0.50L
** 50001528	IV SOLN-SODIUM CHLORIDE 0.9% 1.00L
** 50001561	IV SOLN-SODIUM CHLORIDE 0.9% 100ML IVPB
** 50001560	IV SOLN-SODIUM CHLORIDE 0.9% 50ML IVPB

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.2920 HORMONES/AGENTS AFFECTING MECHANISMS: ESTROGENS/PROGESTINS

Item Number	Drug Name and Strength
50002490	CHLOROTRIANISENE TAB/CAP 12MG

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SECTION 141.2920 HORMONES/AGENTS AFFECTING MECHANISMS:
ESTROGENS/PROGESTINS (Cont'd)

Item Number	Drug Name and Strength
50002490	CHLOROTRIANISENE TAB/CAP 12MG
50002492	CHLOROTRIANISENE TAB/CAP 25MG
50002494	CHLOROTRIANISENE TAB/CAP 72MG
50002097	DIETHYLSTILBESTROL TABLET EC 1.0MG
50002119	DIETHYLSTILBESTROL TABLET EC 5.0MG
50002089	DIETHYLSTILBESTROL TABLET 1.0MG
50002100	DIETHYLSTILBESTROL TABLET 5.0MG
** 00870755	ESTRACE TABLET 1.0MG
** 00870756	ESTRACE TABLET 2.0MG
50003413	ESTRADIOL AQUEOUS 0.22MG/1ML 10ML VIAL
50003414	ESTRADIOL AQUEOUS 0.44MG/1ML 10ML VIAL
50003415	ESTRADIOL AQUEOUS 1.0 MG/1ML 10ML VIAL
50003416	ESTRADIOL AQUEOUS 1.1MG/1ML 10ML VIAL
50003418	ESTRADIOL CYPIONATE INJ 1MG/ML 10ML VIAL
50003420	ESTRADIOL CYPIONATE INJ 5MG/ML 5ML VIAL
50001286	ESTRADIOL TRANSDERMAL PATCH 0.05MG 10CM2
50001288	ESTRADIOL TRANSDERMAL PATCH 0.1MG 20CM2
50003421	ESTRADIOL VALERATE 10MG/ML 1ML VIAL
50003422	ESTRADIOL VALERATE 10MG/ML 5ML VIAL
50003423	ESTRADIOL VALERATE 20MG/ML 1ML SYRINGE
50003424	ESTRADIOL VALERATE 20MG/ML 5ML VIAL
50003425	ESTRADIOL VALERATE 40MG/ML 5ML VIAL
** 00321014	ESTRATAB TABLET 0.3MG
** 00321022	ESTRATAB TABLET 0.625MG
** 00321024	ESTRATAB TABLET 1.25MG
** 00321025	ESTRATAB TABLET 2.5MG
50003426	ESTROGENIC SUBSTANCE AQ INJ 2MG/ML 10ML
50003528	ESTROGENIC SUBSTANCE AQ INJ 5MG/ML 10ML
50003082	HYDROXYPROGESTERONE CAPROATE 125MG/ML 2ML VIAL
50003084	HYDROXYPROGESTERONE CAPROATE 125MG/ML 10ML VIAL
50003086	HYDROXYPROGESTERONE CAPROATE 250MG/ML 1ML SYRINGE
50003088	HYDROXYPROGESTERONE CAPROATE 250MG/ML 5ML VIAL
50003888	MEDROXYPROGESTERONE ACETATE 2.5MG TA/CA
50002545	MEDROXYPROGESTERONE ACETATE TAB 5MG
50003890	MEDROXYPROGESTERONE ACETATE 10MG TAB/CAP
00292800	MENEST TABLET 0.3MG
00292810	MENEST TABLET 0.625MG
** 00292820	MENEST TABLET 1.25MG
** 00292830	MENEST TABLET 2.5MG
** 00743943	OGEN TABLET 0.625MG

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SECTION 141.2920 HORMONES/AGENTS AFFECTING MECHANISMS:
ESTROGENS/PROGESTINS (Cont'd)

Item Number	Drug Name and Strength
** 00743946	OGEN TABLET 1.25MG
** 00743951	OGEN TABLET 2.5MG
** 00743958	OGEN TABLET 5MG
00460552	PREMARIN INJECTION 25MG W DILUENT
** 00460868	PREMARIN TABLET 0.3MG
** 00460867	PREMARIN TABLET 0.625MG
** 00460864	PREMARIN TABLET 0.9MG
** 00460866	PREMARIN TABLET 1.25MG
** 00460865	PREMARIN TABLET 2.5MG
50004925	PROGESTERONE INJECT IN OIL 25MG/ML 10ML
50004926	PROGESTERONE INJECT IN OIL 50MG/ML 5ML
50004927	PROGESTERONE INJECT IN OIL 50MG/ML 10ML
** 50000641	RITODRINE HCL INJECTION 10MG/ML 5ML AMP
** 50000643	RITODRINE HCL INJECTION 15MG/ML 10ML SYRINGE
** 50000645	RITODRINE HCL TABLET 10MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.3320 MISCELLANEOUS

Item Number	Drug Name and Strength
** 05040270	ERGAMISOL TABLET 50MG
** 50006910	RABIES VACCINE HDCV SINGLE DOSE VIAL
** 50006920	RABIES IMMUNE GLOBULIN 150IU/ML 2ML
** 50006930	RABIES IMMUNE GLOBULIN 150IU/ML 10ML
** 50004797	RHO (D) IMMUNE GLOBULIN 1:1000
** 50003300	SODIUM CHLORIDE 0.9% 3ML VIAL
** 50003308	FOR RESPIRATORY THERAPY USE
** 50005722	SODIUM CHLORIDE 0.9% 5ML VIAL
** 50005720	FOR RESPIRATORY THERAPY USE
** 00060679	SODIUM CHLORIDE 0.9% FOR INJECTION 10ML
** 50005732	SYRINE CAPSULE 250MG
** 50005730	WATER, STERILE, FOR INJECTION 10ML
50006894	ZINC SULFATE 66MG (15MG ZINC)
50006896	ZINC SULFATE 110MG (25MG ZINC)
50006900	ZINC SULFATE 220MG (50MG ZINC)

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.3560

ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS

Item Number	Drug Name and Strength
** 00341019	ALPHERON N INJECTION 5MIU/VIAL
** 60009946	ANTINEOPLASTIC ORAL PRODUCTS - NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60009947	ANTINEOPLASTIC PARENTERAL PRODUCTS - NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 04869041	BCG TICE VACCINE
** 50005349	DACARBAZINE INJECTION 100MG VIAL
** 50005351	DACARBAZINE INJECTION 200MG VIAL
** 00064612	ELSPAR INJECTION 10,000IU/10ML VIAL
** 00030830	HYDREA CAPSULE 500MG
** 00850647	INTRON A INJECTION 3 MILLION IU VIAL
** 00850120	INTRON A INJECTION 5 MILLION IU VIAL
** 00850571	INTRON A INJECTION 10 MILLION IU VIAL
** 00850285	INTRON A INJECTION 25 MILLION IU VIAL
** 00850539	INTRON A INJECTION 50 MILLION IU VIAL
** 00054522	LEUCOVORIN CALCIUM INJECTION 3MG/1ML AMP
** 50005550	LEUCOVORIN CALCIUM INJECTION 5MG/ML 1ML
** 50005555	LEUCOVORIN CALCIUM INJECTION 5MG/ML 5ML
** 00054527	LEUCOVORIN CALCIUM INJECTION 50MG VIAL
** 50001714	LEUCOVORIN CALCIUM INJECTION 100MG VIAL
** 50001718	LEUCOVORIN CALCIUM INJECTION 350MG VIAL
** 50005540	LEUCOVORIN CALCIUM TABLET 5MG
** 50005834	LEUCOVORIN CALCIUM TABLET 15MG
** 50005545	LEUCOVORIN CALCIUM TABLET 25MG
** 03268213	LYSODREN TABLET 500MG
** 00040053	MATULANE CAPSULE 50MG
** 00041933	ROFERON A INJECTION 3 MILLION IU/0.5ML POWDER VIAL WITH DILUENT
** 00041988	ROFERON A INJECTION 3 MILLION IU/0.5ML 3ML VIAL
** 00041987	ROFERON A INJECTION 3 MILLION IU/ML 1ML VIAL
** 00042005	ROFERON-A INJECTION 36 MILLION IU/ML 1ML
** 00153091	VEPESID CAPSULE 50MG
** 01178802	THERACYS INTRAVESICAL FREEZE-DRIED SUSPENSION FOR RECONSTITUTION 27MG VIAL
** 00153095	VEPESID INJECTION 20MG/ML 5ML VIAL
** 50003601	VINBLASTINE SULFATE 10MG/10ML VIAL
** 50003603	VINCRISTINE SULFATE 1MG/ML 1ML
** 50003605	VINCRISTINE SULFATE 1MG/ML 2ML
** 50003607	VINCRISTINE SULFATE 1MG/ML 5ML

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.3600

OSTOMY SUPPLIES

Item Number	Drug Name and Strength
** 60009922	OS OSTOMY SUPPLIES - NOT OTHERWISE LISTED - SPECIFY MFG AND LIST NUMBER
** 50008470	OS BARD 140X DISPOSABLE IRRIGATION SET
** 50008471	OS BARD 144X DISPOSABLE DRAIN SLEEVES
** 50008505	OS BARD 2252 STOMAPLAST PLUS POUCH
** 50008506	OS BARD 2253 STOMAPLAST PLUS POUCH
** 50008476	OS BARD 260X SAF-T-POUCH SET
** 50008477	OS BARD 264X SAF-T-POUCH REFILLS
** 50008480	OS BARD 274X SAF-T-POUCH REFILLS
** 50008481	OS BARD 4221 STOMAPLAST PLUS POUCH
** 50008507	OS BARD 4222 STOMAPLAST PLUS POUCH
** 50008509	OS BARD 4223 STOMAPLAST PLUS POUCH
** 50008486	OS BARD 613X KARAYA WASHER
** 50008485	OS BARD 614X KARAYA WASHER 3 3/4 OD
** 50008489	OS BARD 6540 ADH SQ W/CRILLINE 4X4
** 50008490	OS BARD 6580 ADH SQ W/CRILLINE 8X8
** 50008491	OS BARD 6590 ADH SQ W/CRILLINE 6X7/8
** 50008492	OS BARD 672X SAF-T-POUCH ADHES GASKETS
** 50008493	OS BARD 8110 SAF-T-BELT
** 50008494	OS BARD 8120 SNAP-TITE BELT
** 50008495	OS BARD 8230 KARAYA POWDER 3.5OZ
** 50008496	OS BARD 8240 KARAYA POWDER 14OZ
** 50008498	OS BARD 8520 ADHESIVE SOLVENT 8OZ CAN
** 50008499	OS BARD 8530 ADHESIVE SOLVENT 32OZ CAN
** 50008500	OS BARD 8540 DEODORANT 2OZ BOTTLE
** 50008501	OS BARD 8550 DEODORANT 8OZ BOTTLE
** 50008502	OS BARD 871X GASKET PLASTIC REINFORCE
** 50008503	OS BARD 8720 FACE PLATE SOFT
** 50008504	OS BARD 8730 FACE PLATE HARD
** 50007742	OS BARD 960001 REG COLOSTOMY POUCH NO. 1
** 50007741	OS BARD 960002 REG COLOSTOMY POUCH NO. 2
** 50007740	OS BARD 960003 REG COLOSTOMY POUCH NO. 3
** 50007739	OS BARD 960004 REG COLOSTOMY POUCH NO. 4
** 50007747	OS BARD 960101 EXTRA COLOSTOMY POUCH NO. 1
** 50007746	OS BARD 960102 EXTRA COLOSTOMY POUCH NO. 2
** 50007745	OS BARD 960103 EXTRA COLOSTOMY POUCH NO. 3
** 50007722	OS BARD 960201 REG ILEOSTOMY POUCH NO. 20
** 50007730	OS BARD 960202 EXTRA ILEOSTOMY POUCH 20
** 50007721	OS BARD 960301 REG ILEOSTOMY POUCH NO. 30
** 50007729	OS BARD 960302 EXTRA ILEOSTOMY POUCH 30
** 50007727	OS BARD 960401 EXTRA ILEO B POUCH
** 50007723	OS BARD 960402 BELT-ADJUST SUPPORT PLATE
** 50007725	OS BARD 960403 EXTRA ILEO B MINI POUCH
** 50007726	OS BARD 960405 EXTRA ILEO B POUCH
** 50007724	OS BARD 960406 EXTRA ILEO B POUCH 60MM

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007714	OS BARD 960420 ADJUSTABLE BELT
** 50007738	OS BARD 961001 DELUXE IRRIGATION SET
** 50007734	OS BARD 961002 EXTRA SECURITY POUCH
** 50007731	OS BARD 961003 IRRIGATION SLEEVES
** 50007720	OS BARD 961004 KARAYA RINGS
** 50007733	OS BARD 961008 EXTRA SECURITY POUCH
** 50007737	OS BARD 961010 COLO-TIP FOR IRRIG SET
** 50007736	OS BARD 961011 IRRIGATOR BAG-VALVE/TUBE
** 50007735	OS BARD 961012 FACE PLATE FOR IRRIG SET
** 50007719	OS BARD 961015 STOMA URINE BAG ADULT
** 50007718	OS BARD 961016 STOMA URINE BAG MEDIUM
** 50007717	OS BARD 961017 STOMA URINE BAG PEDIATRIC
** 50007732	OS BARD 961020 EXTRA SECURITY POUCH 60MM
** 50007716	OS BARD 962901 RETAIL APPLIANCE KIT 10MM
** 50007715	OS BARD 962905 RETAIL APPLIANCE KIT 40MM
** 50007744	OS BARD 963002 CERTAIN STANDARD POUCH
** 50007743	OS BARD 963003 CERTAIN LARGE POUCH
** 50007712	OS CONVA 021712 STOMAHESIVE COVERING 4X4
** 50007711	OS CONVA 021715 STOMAHESIVE COVERING 8X8
** 50007846	OS CONVA 021915 ACCUSEAL ADAPTER
** 50007851	OS CONVA 02192X SUR-FIT UROSTOMY POUCH W/ACCUSEAL TAP TRANSPARENT STANDARD
** 50007848	OS CONVA 02193X SUR-FIT UROSTOMY POUCH WITH ACCUSEAL TAP OPAQUE STANDARD
** 50007850	OS CONVA 021930 SUR-FIT UROSTOMY POUCH 100MM (4") FLANGE W/ACCUSEAL TAP
** 50007847	OS CONVA 021940 SUR-FIT UROSTOMY POUCH 100MM (4") FLANGE W/ACCUSEAL TAP
** 50007849	OS CONVA 02195X SUR-FIT UROSTOMY POUCH WITH ACCUSEAL TAP OPAQUE SMALL
** 50007873	OS CONVA 022340 STOMAHESIVE WAFER SURFIT 5"x5" WAFER W/2-3/4" SUR-FIT FLANGE
** 50007872	OS CONVA 022341 STOMAHESIVE WAFER SURFIT 6"x6" WAFER W/4" SUR-FIT FLANGE
** 50007864	OS CONVA 022353 SUR-FIT DRAINABLE POUCH 14" TRANSPARENT WITH 4" FLANGE
** 50007867	OS CONVA 022370 STOMAHESIVE WAFER 4"x4" WITH 2-3/4" SUR-FIT ACCORDIAN FLANGE
** 50007866	OS CONVA 022380 STOMAHESIVE WAFER 5"x5" WITH 4" SUR-FIT ACCORDIAN FLANGE
** 50007868	OS CONVA 02252X SUR-FIT FLEXIBLE FLANGE
** 50007871	OS CONVA 02256X DURAHESIVE WAFER 4"x4" WITH LOW PROFILE FLANGE
** 50007870	OS CONVA 022569 DURAHESIVE WAFER 5"x5" WITH 2-3/4" SUR-FIT FLANGE

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007869	OS CONVA 022570 DURAHESIVE WAFER 6"x6" WITH 4" SUR-FIT FLANGE
** 50007834	OS CONVA 0227XX ACTIVE LIFE ONE-PIECE DRAINABLE POUCH 12" OPAQUE
** 50007833	OS CONVA 0227XX ACTIVE LIFE ONE-PIECE DRAINABLE POUCH 12" TRANSPARENT
** 50007831	OS CONVA 022703 ACTIVE LIFE ONE-PIECE CLOSED-END POUCH OPAQUE
** 50007830	OS CONVA 022706 ACTIVE LIFE ONE-PIECE CLOSED-END POUCH TRANSPARENT
** 50007858	OS CONVA 02271X VISI-FLOW IRRIGATION STARTER SET
** 50007829	OS CONVA 022710 ACTIVE LIFE ONE-PIECE STOMA CAP
** 50007857	OS CONVA 022735 VISI-FLOW IRRIGATOR WITH STOMA CONE
** 50007856	OS CONVA 022736 VISI-FLOW STOMA CONE
** 50007854	OS CONVA 02274X SUR-FIT IRRIGATION ADAPTER FACEPLATE
** 50007841	OS CONVA 02275X ACTIVE LIFE ONE-PIECE DRAINABLE POUCH 10" OPAQUE
** 50007832	OS CONVA 022771 ACTIVE LIFE ONE-PIECE DRAINABLE CUSTOM POUCH 12" TRANSPARENT
** 50007852	OS CONVA 02423X SUR-FIT UROSTOMY POUCH TRANSPARENT SMALL
** 50007853	OS CONVA 02423X SUR-FIT UROSTOMY POUCH TRANSPARENT STANDARD
** 50007860	OS CONVA 02425X SUR-FIT IRRIGATION SLEEVE
** 50007859	OS CONVA 02426X SUR-FIT FLANGE CAP
** 50007862	OS CONVA 02547X SUR-FIT DRAINABLE POUCH 10" OPAQUE WITHOUT FABRIC PANEL
** 50007863	OS CONVA 02547X SUR-FIT DRAINABLE POUCH 12" OPAQUE WITHOUT FABRIC PANEL
** 50007876	OS CONVA 025510 STOMAHESIVE POWDER 30GM
** 50007826	OS CONVA 0256XX STOMAHESIVE SUR-FIT 4X4
** 50007827	OS CONVA 02562X SUR-FIT CLOSED POUCH OPQ
** 50007825	OS CONVA 02563X SUR-FIT DRAIN PCH 12" TR
** 50007823	OS CONVA 02564X SUR-FIT DRAIN PCH 12" OP
** 50007824	OS CONVA 02569X SUR-FIT DRAIN PCH 10" OP
** 50007865	OS CONVA 02569X SUR-FIT DRAINABLE POUCH 10" OPAQUE
** 50007861	OS CONVA 02577X SUR-FIT MINI-POUCH
** 50007845	OS CONVA 027060 SUR-FIT NIGHT DRAINAGE CONTAINER SET

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007844	OS CONVA 027061 SUR-FIT NIGHT DRAINAGE CONTAINER COVER
** 50007828	OS CONVA 175510 APPLIANCE BELT ADJUST
** 50007874	OS CONVA 175600 SUR-FIT TAIL CLOSURES FOR USE WITH 025470 THRU 025479 ONLY
** 50007875	OS CONVA 175635 SUR-FIT/ACTIVE LIFE TAIL CLOSURES
** 50007855	OS CONVA 175650 SUR-FIT IRRIGATION SLEEVE TAIL CLOSURE
** 50007842	OS CONVA 1801XX SUR-FIT POUCH COVERS
** 50007877	OS CONVA 183910 STOMAHEISIVE PASTE 60GM
** 50007843	OS CONVA 1850XX SUR-FIT DISPOSABLE CONVEX INSERTS
** 50008478	OS DIAM SHAM SAF-T-POUCH SET C O B F 270
** 50008479	OS DIAM SHAM SAF-T-POUCH SET C 4 SBS 271
** 50008487	OS DIAM SHAM SKIN BARRIER SEAL 628
** 50008488	OS DIAM SHAM SKIN BARRIER SEAL 629
** 50008472	OS DIAM SHAM STOMAPLAST PLUS BAG 2251
** 50008473	OS DIAM SHAM STOMAPLAST PLUS CR BAG 226
** 50008474	OS DIAM SHAM STOMAPLAST PLUS CR BAG 227
** 50008475	OS DIAM SHAM STOMAPLAST PLUS CR BAG 228
** 50008482	OS DIAM SHAM STOMAPLAST PLUS CRDS BG 426
** 50008483	OS DIAM SHAM STOMAPLAST PLUS CRDS BG 427
** 50008484	OS DIAM SHAM STOMAPLAST PLUS CRDS BG 428
** 50008497	OS DIAM SHAM SUPER BOND CEMENT 40Z 8510
** 50007758	OS HOLL ADJUSTABLE OSTOMY BELT
** 50007840	OS HOLL ADH DRAINABLE OPAQUE SERIES 749
** 50007788	OS HOLL ADHESIVE SECURITY POUCH 714
** 50007789	OS HOLL ADHESIVE STOMA BAG 717
** 50007752	OS HOLL DILATOR GLOVE 7741
** 50007784	OS HOLL IRRIGATION SET 733
** 50007785	OS HOLL IRRIGATOR 7201
** 50007777	OS HOLL KARAYA SEAL DRAINABLE STOM BG725
** 50007780	OS HOLL KARAYA SEAL DRAINABLE STOM BG726
** 50007776	OS HOLL KARAYA SEAL DRN STOM BG C ADH723
** 50007773	OS HOLL KARAYA SEAL DRN STOM BG C ADH724
** 50007791	OS HOLL REGULAR STOMA BAG 710
** 50007761	OS HOLL UROSTOMY BAG C ADHESIVE ONLY 744
** 50007764	OS HOLL UROSTOMY BAG C KARAYA SEAL 741
** 50002556	OS HOLL 141X LO-PROFILE UROSTOMY POUCH W/MICROPOROUS II ADHESIVE AND GASKET
** 50002581	OS HOLL 142X LO-PROFILE UROSTOMY POUCH W/MICROPOROUS II ADHESIVE
** 50002555	OS HOLL 143X LO-PROFILE UROSTOMY POUCH W/MICROPOROUS II KARAYA 5 SEAL/GASKET

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50008270	OS HOLL 227X FILTER STOMA POUCH WITH STANDARD ADHESIVE
** 50007836	OS HOLL 300X SECURE ADHESIVE OSTOMY SYSTEM POUCH CLEAR
** 50007837	OS HOLL 304X SECURE ADHESIVE OSTOMY SYSTEM POUCH OPAQUE
** 50007838	OS HOLL 311X KARAYA SEAL DRAINABLE STOMA POUCH SHORT 12" OPAQUE
** 50007839	OS HOLL 313X KARAYA SEAL DRAINABLE STOMA POUCH BRIEF 9" OPAQUE
** 50008271	OS HOLL 314X FILTER SECURITY POUCH WITH MICROPOROUS ADHESIVE
** 50002591	OS HOLL 318X STOMA CAP W/MICROPOROUS ADHESIVE 2" or 3"
** 50008268	OS HOLL 322X KARAYA SEAL DRAINABLE STOMA POUCH SHORT 12" REGULAR
** 50008269	OS HOLL 323X KARAYA SEAL DRAINABLE STOMA POUCH BRIEF 9" REGULAR
** 50008267	OS HOLL 327X KARAYA SEAL DRAINABLE STOMA POUCH MEDIUM 16" REGULAR
** 50008272	OS HOLL 332X KARAYA SEAL STOMA POUCH W/KARAYA 5 RING MICROPOROUS ADH FLTR
** 50002589	OS HOLL 350X PREMIUM CLOSED POUCH WITH MICROPOROUS II ADH DEOD FLTR QUFILM
** 50002587	OS HOLL 353X PREMIUM CLOSED POUCH WITH KARAYA 5 MICROPOROUS II FLTR FILM OP
** 50002588	OS HOLL 354X PREMIUM CLOSED POUCH WITH RING MICROPOROUS II FLTR OPQUFLM
** 50002586	OS HOLL 355X PREMIUM CLOSED POUCH WITH KARAYA 5 MICROPOROUS II FILTER FILM
** 50002543	OS HOLL 360X PREMIUM DRAINABLE POUCH WITH KARAYA 5 SEAL, MICROPOROUS II
** 50002540	OS HOLL 363X FIRSTCHOICE DRAINABLE POUCH SYNTHETIC BARRIER CUSHION FIT
** 50002541	OS HOLL 364X PREMIUM DRAINABLE POUCH WITH SYNTHETIC SEAL RING MICROPOROUS
** 50002548	OS HOLL 366X PREMIUM DRAINABLE POUCH WITH REPLACEMENT FILTER
** 50002538	OS HOLL 370X TWO-PIECE OSTOMY SYSTEM SKIN BARRIER W/FLANGE 1 1/2" -- 2 3/4"
** 50002537	OS HOLL 3706 TWO-PIECE OSTOMY SYSTEM SKIN BARRIER W/FLANGE 4" FLANGE
** 50002736	OS HOLL 380X TWO-PIECE OSTOMY SYSTEM REG DRN POUCH W/FLANGE 1 1/2" -- 2 3/4"

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SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50002533	OS HOLL 3806 TWO-PIECE OSTOMY SYSTEM REG DRAINABLE POUCH W/FLANGE 4" FLANGE
** 50002735	OS HOLL 381X TWO-PIECE OSTOMY SYSTEM OPQ DRN POUCH W/FLANGE 1 1/2" -- 2 3/4"
** 50002532	OS HOLL 3816 TWO-PIECE OSTOMY SYSTEM OPQ DRAINABLE POUCH W/FLANGE 4" FLANGE
** 50002529	OS HOLL 382X TWO-PIECE OSTOMY SYSTEM IRRIGATOR DRAIN
** 50002531	OS HOLL 390X TWO-PIECE OSTOMY SYSTEM PREMIUM UROSTOMY POUCH W/FLANGE
** 50008273	OS HOLL 412X HOLLIGARD SEAL STOMA POUCH WITH MIRCOPOROUS ADHESIVE AND FILTER
** 50007757	OS HOLL 7035 APPLIANCE COVER CLOSED BAGS
** 50007756	OS HOLL 7037 APPLIANCE COVER DRAIN BAG
** 50007790	OS HOLL 713X MINI POUCH
** 50007792	OS HOLL 716X KARAYA SEAL STOMA POUCH WITH KARAYA 5 SEAL RING
** 50007787	OS HOLL 718X REGULAR STOMA CAP
** 50007786	OS HOLL 719X STOMA IRRIGATOR DRAIN
** 50007779	OS HOLL 721X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 RING SHORT 12"
** 50007775	OS HOLL 722X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 SHORT 12"
** 50007774	OS HOLL 727X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 MEDIUM 16"
** 50007778	OS HOLL 728X KARAYA SEAL DRAINABLE STOMA POUCH WITH KARAYA 5 RING MEDIUM 16"
** 50002584	OS HOLL 7328 STANDARD UROSTOMY DRAIN TUB
** 50007760	OS HOLL 7328 UROSTOMY DRAIN TUBE STANDRD
** 50002583	OS HOLL 7330 LO-PROFILE DRAIN TUBE
** 50002582	OS HOLL 7331 UROSTOMY DRAIN TUBE ADAPTER
** 50007769	OS HOLL 734X LOOP OSTOMY DRAINABLE POUCH
** 50007770	OS HOLL 734X LOOP OSTOMY GASKET ASSEMBLY
** 50007768	OS HOLL 734X LOOP OSTOMY STARTER SET
** 50007759	OS HOLL 739X KARAYA SEAL RING
** 50007767	OS HOLL 740X UROSTOMY POUCH BRIEF 9"
** 50007771	OS HOLL 742X ADHESIVE DRAINABLE STOMA POUCH MEDIUM 16"
** 50007772	OS HOLL 743X ADHESIVE DRAINABLE STOMA POUCH SHORT 12"
** 50007765	OS HOLL 745X UROSTOMY POUCH MEDIUM 12"
** 50007762	OS HOLL 746X UROSTOMY POUCH WITH KARAYA 5 SEAL RING MEDIUM 16"
** 50007766	OS HOLL 747X UROSTOMY POUCH SHORT 12"

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SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007763	OS HOLL 748X UROSTOMY POUCH WITH KARAYA 5 SEAL RING SHORT 12"
** 50007835	OS HOLL 7700 HOLLIHESIVE SKIN BARRI 4X4
** 50002599	OS HOLL 7701 HOLLIHESIVE SKIN BARRIER 8" X 8" NON-STERILE
** 50002600	OS HOLL 7708 HOLLISEAL SKIN BARRIER 4" X 4"
** 50007781	OS HOLL 772X COMBINATION CONE/TUBE IRRIGATION STARTER SET 2" OR 3"
** 50007783	OS HOLL 772X COMBINATION CONE/TUBE STOMA IRRIGATOR DRAIN 2" OR 3"
** 50007782	OS HOLL 7721 COMBINATION CONE/TUBE IRRIGATION KIT
** 50002592	OS HOLL 7723 STOMA CONE REPLACEMENT UNIT W/CONNECTOR AND INSTRUCTIONS
** 50007755	OS HOLL 7730 MEDICAL ADHESIVE 6OZ CAN
** 50007754	OS HOLL 7731 MEDICAL ADHESIVE REMOVER 6OZ SPRAY CAN
** 50007753	OS HOLL 7740 STOMA LUBRICANT 4OZ BOTTLE
** 50002605	OS HOLL 7755 UNIVERSAL REMOVER FOR ADHESIVES AND BARRIERS 6OZ BOTTLE
** 50002606	OS HOLL 7760 UNIVERSAL REMOVER WIPES FOR ADHESIVES AND BARRIERS-CARTON OF 50
** 50007751	OS HOLL 7765 DRAINABLE POUCH CLAMP
** 50002549	OS HOLL 7766 REPLACEMENT FILTERS FOR PREMIUM DRAINABLE POUCH
** 50002622	OS HOLL 7770 PREMIUM DRAINABLE POUCH CLAMP FOR PREMIUM AND QUIET FILM
** 50002593	OS HOLL 7800 PREMIUM SKIN BARRIER 4" X 4" NON-STERILE
** 50002598	OS HOLL 7801 PREMIUM SKIN BARRIER 8" X 8" NON-STERILE
** 50008266	OS HOLL 7905 KARAYA POWDER 2.5 OZ BOTTLE
** 50007749	OS HOLL 7910 KARAYA PASTE 4.5 OZ TUBE
** 50007750	OS HOLL 7916 SKIN GEL 1 OZ TUBE
** 50002619	OS HOLL 7917 SKIN GEL PROTECTIVE DRESSING WIPES-CARTON OF 50
** 50002604	OS HOLL 7918 SKIN GEL SPRAY 4OZ BOTTLE
** 50007748	OS HOLL 7919 KARAYA PASTE 2 OZ TUBE
** 50002602	OS HOLL 7920 HOLLIHESIVE PASTE 4.5OZ
** 50002601	OS HOLL 7930 PREMIUM PASTE 2OZ TUBE
** 50002603	OS HOLL 9760 POST-OP POUCH W/MICROPOROUS II ADHESIVE AND ATTACHED CLOSURE
** 50002539	OS HOLL 9765 PEDIATRIC POUCH
** 50003640	OS INCONT. CLEANSER/DEODORIZER-RINSE

(NOTE: FOR OSTOMY PATIENT USE ONLY)

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SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50003642	OS INCONT. CLEANSER/DEODORIZER-NO RINSE (NOTE: FOR OSTOMY PATIENT USE ONLY)
** 50003644	OS MOISTURE BARRIER OINTMENT WITH A & D (NOTE: FOR OSTOMY PATIENT USE ONLY)
** 50007501	OS NUHOPE 2101 REUSABLE URINARY POUCH STYLE A
** 50007502	OS NUHOPE 2102 REUSABLE URINARY POUCH STYLE A W/VALVE
** 50007503	OS NUHOPE 2111 REUSABLE URINARY POUCH STYLE B
** 50007504	OS NUHOPE 2115 REUSABLE URINARY POUCH STYLE C
** 50007505	OS NUHOPE 2118 REUSABLE URINARY POUCH STYLE D
** 50007506	OS NUHOPE 2125 REUSABLE URINARY POUCH STYLE H
** 50007507	OS NUHOPE 2126 REUSABLE URINARY POUCH STYLE H W/VALVE
** 50007508	OS NUHOPE 22XX BASE PLATE AND RING SET
** 50007509	OS NUHOPE 23XX ADHERING TAPE DISC
** 50007510	OS NUHOPE 2313 ADHERING TAPE DISC 1-5/8"
** 50007511	OS NUHOPE 2330 REGULAR ADHERING TAPE STRIPS
** 50007512	OS NUHOPE 2332 EXTRA WIDE ADHERING TAPE STRIPS
** 50007513	OS NUHOPE 2334 EXTRA LONG ADHERING TAPE STRIPS
** 50007514	OS NUHOPE 2400 ADHESIVE 30Z BOTTLE W/APPLICATOR
** 50007515	OS NUHOPE 2401 ADHESIVE 10Z BOTTLE W/APPLICATOR
** 50007516	OS NUHOPE 2408 CLEANING SOLVENT 40Z
** 50007517	OS NUHOPE 2410 CLEANING SOLVENT 160Z
** 50007518	OS NUHOPE 2427 THINNING SOLVENT 20Z
** 50007519	OS NUHOPE 2500 THIN RUBBER STOMA SEALS
** 50007520	OS NUHOPE 251X CLOTH COVER FOR 120Z or 200Z
** 50007521	OS NUHOPE 2513 CLOTH COVER FOR 300Z
** 50007522	OS NUHOPE 252X HOLE CUTTER TOOL 1/2" THRU 1-1/8"
** 50007523	OS NUHOPE 253X HOLE CUTTER TOOL 1-1/4" THRU 1-1/2"
** 50007524	OS NUHOPE 253X HOLE CUTTER TOOL 1-3/4" THRU 2"
** 50007525	OS NUHOPE 2540 REGULAR VALVE SET
** 50007526	OS NUHOPE 2543 EXTRA WIDE VALVE SET
** 50007527	OS NUHOPE 2546 LONG CURVED VALVE SET
** 50007528	OS NUHOPE 2550 DRYING HANGER
** 50007529	OS NUHOPE 2555 STANDARD SHORT SHIELD
** 50007530	OS NUHOPE 2556 EXTRA LARGE SUPPORT SHIELD
** 50007531	OS NUHOPE 2600 1" ELASTIC BELT W/PLASTIC BUCKLES

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.3600

OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50007532	OS NUHOPE 2605 1" ELASTIC BELT W/METAL BUCKLES
** 50007533	OS NUHOPE 2610 1-1/2" ELASTIC BELT W/PLASTIC BUCKLES
** 50007534	OS NUHOPE 2615 1-1/2" ELASTIC BELT W/METAL BUCKLES
** 50007535	OS NUHOPE 2630 1" RUBBER BELT W/PLASTIC BUCKLES
** 50007536	OS NUHOPE 266X SUPPORT BELT 4"
** 50007538	OS NUHOPE 3101 REUSABLE DRAINABLE POUCH STYLE E
** 50007539	OS NUHOPE 3103 REUSABLE DRAINABLE POUCH STYLE F
** 50007540	OS NUHOPE 3142 CRYOVAC DISPOSABLE POUCH
** 50007541	OS NUHOPE 3200 KARAYA GUM POWDER 3.50Z SQUEEZE BOTTLE
** 50007542	OS NUHOPE 3205 KARAYA GUM POWDER 1/20Z SQUEEZE BOTTLE
** 50007543	OS NUHOPE 3208 KARAYA GUM POWDER 1LB BOTTLE
** 50007544	OS NUHOPE 3220 CARBO ZINC 60Z JAR
** 50007545	OS NUHOPE 4003 PHARMASEAL DRAINAGE CONTAINER
** 50007546	OS NUHOPE 4008 NU-CREAM 20Z JAR
** 50007547	OS NUHOPE 4010 NU-CREAM 10Z TUBE
** 50007548	OS NUHOPE 4020 NU-GARD SKIN BARRIER WIPES
** 50007549	OS NUHOPE 50XX DUALSTICK ADHESIVE PAD
** 50007550	OS NUHOPE 62XX CONVEX INSERTS PACK OF 10
** 50007551	OS NUHOPE 65XX 3" SUPPORT BELT
** 50007553	OS NUHOPE 66XX 6" SUPPORT BELT
** 50007554	OS NUHOPE 66XX 9" SUPPORT BELT
** 50007555	OS NUHOPE 71XX ODORPROOF BRIEF POST OP DRAINABLE 120Z POUCH
** 50007556	OS NUHOPE 71XX NU-FLEX DRAINABLE MINI POUCH 80Z
** 50007557	OS NUHOPE 72XX ODORPROOF ADULT POST OP DRAINABLE 240Z POUCH
** 50007558	OS NUHOPE 73XX ODORPROOF BRIEF NU-SELF (OPAQUE) 120Z DRAINABLE POUCH
** 50007559	OS NUHOPE 74XX ODORPROOF ADULT NU-SELF (OPAQUE) 240Z DRAINABLE POUCH
** 50007560	OS NUHOPE 77XX BRIEF NU-FLEX DRAIN POUCH 120Z
** 50007561	OS NUHOPE 77XX-FV BRIEF NU-FLEX DRAIN POUCH POUCH WITH FLUTTER VALVE 120Z
** 50007562	OS NUHOPE 7854 ADULT NU-FLEX DRAIN POUCH- TAPE DISC

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SECTION 141.3600		OSTOMY SUPPLIES (Cont'd)	
Item Number	Drug Name and Strength		
** 50007563	OS NUHOPE 7854-FV ADULT NU-FLEX DRAIN POUCH		
** 50007564	TAPE DISC WITH FLUTTER VALVE		
** 50007565	OS NUHOPE 79XX ADULT NU-FLEX DRAIN POUCH 22OZ		
** 50007566	OS NUHOPE 79XX-FV ADULT NU-FLEX DRAIN POUCH WITH FLUTTER VALVE 22OZ		
** 50007567	OS NUHOPE 81XX BRIEF POST-OP DRAINABLE POUCH 12OZ		
** 50007568	OS NUHOPE 8134 NU-FLEX MINI-POUCH 6OZ		
** 50007569	OS NUHOPE 8134-FV NU-FLEX MINI-POUCH WITH FLUTTER VALVE 6OZ		
** 50007570	OS NUHOPE 81XX BRIEF POST-OP URINARY POUCH 12OZ		
** 50007571	OS NUHOPE 81XX-TS BRIEF POST-OP URINARY TRIM SHIELD POUCH 12OZ		
** 50007572	OS NUHOPE 82XX ADULT POST-OP DRAINABLE POUCH 24OZ 1/2" THROUGH 2" OPENING		
** 50007573	OS NUHOPE 82XX ADULT POST-OP DRAINABLE POUCH 24OZ 2-1/4" THROUGH 3" OPENING		
** 50007574	OS NUHOPE 82XX ADULT POST-OP URINARY POUCH 24OZ 1/2" THROUGH 2" OPENING		
** 50007575	OS NUHOPE 82XX ADULT POST-OP URINARY POUCH 24OZ 2-1/4" THROUGH 3" OPENING		
** 50007576	OS NUHOPE 82XX-TS ADULT POST-OP URINARY TRIM SHIELD POUCH 24OZ		
** 50007577	OS NUHOPE 82XX-FV ADULT POST-OP URINARY POUCH WITH FLUTTER VALVE 24OZ		
** 50007578	OS NUHOPE 8316 DOUBLE BARRELL POST-OP DRAINABLE POUCH		
** 50007579	OS NUHOPE 83XX DUALSTICK DRAIN 4" X 12"		
** 50007580	OS NUHOPE 8395 DUALSTICK DRAIN 11" X 27"		
** 50007581	OS NUHOPE 84XX ADULT HI-POCKETS DRAINABLE POUCH 24OZ		
** 50007582	OS NUHOPE 84XX ADULT HI-POCKETS URINARY POUCH 24OZ		
** 50007583	OS NUHOPE 84XX-FV ADULT HI-POCKETS URINARY POUCH WITH FLUTTER VALVE		
** 50007584	OS NUHOPE 85XX BRIEF HI-POCKETS DRAINABLE POUCH 12OZ		
** 50007585	OS NUHOPE 85XX BRIEF HI-POCKETS URINARY POUCH 12OZ		
** 50007586	OS NUHOPE 86XX COLOSTOMY POUCH		
** 50007587	OS NUHOPE 87XX ADULT NU-SELF DRAINABLE POUCH 24OZ		

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SECTION 141.3600		OSTOMY SUPPLIES (Cont'd)	
Item Number	Drug Name and Strength		
** 50007588	OS NUHOPE 88XX BRIEF NU-SELF DRAINABLE POUCH 12OZ		
** 50003646	OS SKIN CREAM WITH METHYLBENZETHONIUM CL (NOTE: FOR OSTOMY PATIENT USE ONLY)		
** 50003648	OS SKIN LIQUID PROTECTIVE BARRIER (NOTE: FOR OSTOMY PATIENT USE ONLY)		
** 50003650	OS SKIN PROTECTIVE BARRIER WIPES (NOTE: FOR OSTOMY PATIENT USE ONLY)		
** 11700201	OS-SWEEN-0301-SWEEN-CREAM-57GM-JAR/TUBE		
** 11700216	OS-SWEEN-0316-SWEEN-CREAM-142GM-JAR/TUBE		
** 11700925	OS-SWEEN-0925-SWEEN-PREP-59ML		
** 11700926	OS-SWEEN-0926-SWEEN-PREP-118ML		
** 11700951	OS-SWEEN-0951-PURI-CLENS-59ML		
** 11700971	OS-SWEEN-0971-PURI-CLENS-118ML		
** 11701001	OS-SWEEN-1001-PERI-CARE-OINTMENT-57GM-JAR		
** 11701002	OS-SWEEN-1002-PERI-CARE-OINTMENT-227GM-JAR		
** 11701005	OS-SWEEN-1005-PERI-CARE-OINTMENT-50GM-TUBE		
** 11701006	OS-SWEEN-1006-PERI-CARE-OINTMENT-142GM-TUBE		
** 11701021	OS-SWEEN-1021-PERI-CARE-OINTMENT-14GM-TUBE		
** 11701321	OS SWEEN 1321 MICRO-GUARD SKIN CREAM 57GM		
** 11701332	OS SWEEN 1332 MICRO-GUARD SKIN CREAM 14GM		
** 11701400	OS-SWEEN-1400-PERI-WASH-237ML		
** 11701410	OS-SWEEN-1410-PERI-WASH-118ML		
** 11701452	OS-SWEEN-1452-PERI-WASH-11-118ML		
** 11701453	OS-SWEEN-1453-PERI-WASH-11-237ML		
** 11701523	OS SWEEN 1523 O.A.D. OSTOMY APPLIANCE DEODORANT 37ML		
** 11701525	OS SWEEN 1525 O.A.D. OSTOMY APPLIANCE DEODORANT 237ML		
** 11701527	OS SWEEN 1527 O.A.D. OSTOMY APPLIANCE DEODORANT 118ML		
** 11701571	OS SWEEN 1571 O.A.D. SWEEN-A-PEEL WAFER SKIN PROTECTANT 4" X 4" 5 WAFERS		
** 11701579	OS SWEEN 1579 SWEEN-A-PEEL WAFER SKIN PROTECTANT 12" X 12" 1 WAFER		
** 11701921	OS SWEEN 1921 KARAYA POWDER STERILIZED 85GM		
** 11702041	OS-SWEEN-2041-SWEEN-PREP-WIPES-BOX-OF-54		
** 50008469	OS UNITED 1025 BONGORT SPECIAL PED DRAIN		
** 50008468	OS UNITED 1044 MAX-E POUCH OPEN END HOR		
** 50008467	OS UNITED 1075 BONGORT PF URIN DIVER PCH		
** 50008466	OS UNITED 1076 BONGORT PF URIN DIVER PCH		
** 50008465	OS UNITED 1085 SPEC ODOR-BARRIER DRAIN		
** 50008464	OS UNITED 1802 COLOSET POUCH		
** 50008463	OS UNITED 1805 COLOSET POUCH		
** 50008462	OS UNITED 2453 HYPALON FACEPLACE CONVEX		

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SECTION 141.3600 OSTOMY SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
** 50008461	OS UNITED 251X FEATHER-LITE VINYL POUCH
** 50008460	OS UNITED 256 FEATHER-LITE O-P ILEO PCH
** 50008459	OS UNITED 2564 FEATHER-LITE ODRPRF ILEO
** 50008458	OS UNITED 2687 UNIVERSAL ADH GASKETS 3X4
** 50008457	OS UNITED 3006 FEATHER-LITE URINE POUCH
** 50008456	OS UNITED 3120 BEAD-O-RING
** 50008455	OS UNITED 3135 HYPALON FACEPLATE CONVEX
** 50008454	OS UNITED 3206 FEATHER-LITE URINE POUCH
** 50008453	OS UNITED 3406 FEATHER-LITE URINE POUCH
** 50008452	OS UNITED 4000 SKIN-BOND CEMENT 40Z
** 50008451	OS UNITED 4020 UNISOLVE ADH REMOVER 8 OZ
** 50008450	OS UNITED 4050 URI-KLEEN DEODOR DET 16 OZ
** 50008449	OS UNITED 4060 KARAYA GUM POWDER 2.5 OZ
** 50008448	OS UNITED 4120 BANISH LIQ DEODORANT 37ML
** 50008447	OS UNITED 4121 BANISH LIQ DEOD 237ML
** 50008446	OS UNITED 4202 SKIN-PREP AEROSOL 170GM
** 50008445	OS UNITED 4204 SKIN-PREP WIPES
** 50008444	OS UNITED 4305 SEAL-TITE GASKETS
** 50008443	OS UNITED 4412 TAIL CLOSURE ADULT
** 50008442	OS UNITED 4430 UNIWASH-SKIN-CLEANSER
** 50008441	OS UNITED 4435 UNIDERM-MOISTURIZER-3-OZ
** 50008440	OS UNITED 4440 UNISALVE-ointment-2.47-OZ
** 50008438	OS UNITED 8150 UNITIP COLO IRRIG SET
** 50008437	OS UNITED 8152 COMB-TIP COLO IRRIG SET
** 50008436	OS UNITED 8404 CONVERT-A-POUCH SOFT FACE
** 50003652	OS WOUND DEODORIZER AND CLEANSER

(NOTE: FOR OSTOMY PATIENT USE ONLY)

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.3640 PARASITICIDAL: ANTHELMINTICS

Item Number	Drug Name and Strength
** 00496400	ANTHELMINTH-ORAL-SUSP
** 00054516	HETRAZAN TABLET 50MG
** 00063331	MINTEZOL SUSP 500MG/5CC
** 00060907	MINTEZOL TABLET-CHEWABLE 500MG
** 50001610	NICLOSAMIDE CHEWABLE TABLET 500MG
** 50001611	OXAMNINQUINE CAPSULE 250MG
** 60009953	PARASITIC INFECTION DRUGS NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50004685	PIPERAZINE CITRATE SYRUP 100 MG/CC

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SECTION 141.3640 PARASITICIDAL: ANTHELMINTICS (Cont'd)

Item Number	Drug Name and Strength
** 50001612	PIPERAZINE CITRATE TABLET 250MG
** 50004669	PIPERAZINE CITRATE TABLET 500MG
** 50004677	PIPERAZINE CITRATE WAFER 500MG
** 00710747	POVAN TABLET 50MG
** 50001613	PRAZIQUANTEL TABLET 600MG
** 50004033	PYRANTEL PAMOATE SUSPENSION 144MG/ML (EQUIVALENT TO 50MG/ML PYRANTEL BASE)
** 00625530	VERMOX CHEWABLE TABLET 100MG

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

Item Number	Drug Name and Strength
** 50004917	POTASSIUM CHLORIDE INJECTION 10MEQ/5ML SYRINGE
** 50004919	POTASSIUM CHLORIDE INJECTION 20MEQ/10ML SYRINGE
** 50004918	POTASSIUM CHLORIDE INJECTION 20MEQ/10ML AMP
** 50004920	POTASSIUM CHLORIDE INJECTION 30MEQ/20ML SYRINGE
** 50004922	POTASSIUM CHLORIDE INJECTION 40MEQ/20ML SYRINGE
** 50004921	POTASSIUM CHLORIDE INJECTION 40MEQ/20ML AMP
** 50004762	POTASSIUM CHLORIDE ORAL LIQUID 5% GENERIC
** 50004763	POTASSIUM CHLORIDE ORAL LIQUID 10% GENERIC
** 50004764	POTASSIUM CHLORIDE ORAL LIQUID 20% GENERIC
** 50004720	POTASSIUM CHLORIDE SUSTAINED RELEASE CAPSULE/TABLET 500MG (6.7MEQ)
** 50004722	POTASSIUM CHLORIDE SUSTAINED RELEASE CAPSULE/TABLET 600MG (8MEQ)
** 50004724	POTASSIUM CHLORIDE SUSTAINED RELEASE CAPSULE/TABLET 750MG (10MEQ)
** 50004728	POTASSIUM CHLORIDE SUSTAINED RELEASE CAPSULE/TABLET 1500MG (20MEQ)
** 50004700	POTASSIUM CHLORIDE TAB/POWDER PKT 20MEQ
** 50004705	POTASSIUM CHLORIDE TAB/POWDER PKT 25MEQ
** 50004710	POTASSIUM CHLORIDE TAB/POWDER PKT 50MEQ

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

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SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS

Item Number	Drug Name and Strength
** 50005125	AMITRIPTYLINE HCL 12.5MG; CHLORDIAZEPOXIDE 5MG TABLET
** 50005127	AMITRIPTYLINE HCL 25MG; CHLORDIAZEPOXIDE 10MG TABLET
** 50006630	AMITRIPTYLINE HCL INJ 10MG/ML 10ML VIAL
** 50002710	AMITRIPTYLINE HCL TABLET 10MG
** 50002725	AMITRIPTYLINE HCL TABLET 25MG
** 50002750	AMITRIPTYLINE HCL TABLET 50MG
** 50002775	AMITRIPTYLINE HCL TABLET 75MG
** 50002800	AMITRIPTYLINE HCL TABLET-100MG
** 50002850	AMITRIPTYLINE HCL TABLET-150MG
** 50006445	DESIPRAMINE HCL CAPSULE 25MG
** 50006447	DESIPRAMINE HCL CAPSULE 50MG
** 50004635	DESIPRAMINE HCL TABLET 10MG
** 50001815	DESIPRAMINE HCL TABLET 25MG
** 50001816	DESIPRAMINE HCL TABLET 50MG
** 50001822	DESIPRAMINE HCL TABLET 75MG
** 50001824	DESIPRAMINE HCL TABLET 100MG
** 50001826	DESIPRAMINE HCL TABLET 150MG
** 50005359	DOXEPIN HCL CONCENTRATE 10MG/ML 120ML
** 50005352	DOXEPIN HCL CAPSULE 10MG
** 50005353	DOXEPIN HCL CAPSULE 25MG
** 50005354	DOXEPIN HCL CAPSULE 50MG
** 50005356	DOXEPIN HCL CAPSULE 75MG
** 50005357	DOXEPIN HCL CAPSULE 100MG
** 50005358	DOXEPIN HCL CAPSULE 150MG
** 50003474	IMIPRAMINE HCL INJECTION 25MG/2ML 2ML AMP
** 50006068	IMIPRAMINE HCL TABLET 10MG
** 50006076	IMIPRAMINE HCL TABLET 25MG
** 50006078	IMIPRAMINE HCL TABLET 50MG
** 50003541	MAPROTIline HCL TABLET 25MG
** 50003543	MAPROTIline HCL TABLET 50MG
** 50003545	MAPROTIline HCL TABLET 75MG
** 00470270	NARDIL TABLET 15MG
** 50002005	NORTRIPTYLINE HCL SOLUTION 10MG/5ML
** 50002010	NORTRIPTYLINE HCL CAPSULE 10MG
** 50002025	NORTRIPTYLINE HCL CAPSULE 25MG
** 50002511	NORTRIPTYLINE HCL CAPSULE 50MG
** 50002075	NORTRIPTYLINE HCL CAPSULE 75MG
** 00071471	PARNATE TABLET 10MG
** 07773105	PROZAC CAPSULE 20MG
** 50000771	TRAZODONE HCL TABLET 50MG
** 50000773	TRAZODONE HCL TABLET 100MG
** 50000775	TRAZODONE HCL TABLET 150MG
** 50000777	TRAZODONE HCL TABLET 300MG

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SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS (Cont'd)

Item Number	Drug Name and Strength
** 00060026	VIVACTIL TABLET 5MG
** 00060047	VIVACTIL TABLET 10MG
** 00810177	WELLBUTRIN TABLET 75MG
** 00810178	WELLBUTRIN TABLET 100MG
(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)	
SECTION 141.4240 SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES	
Item Number	Drug Name and Strength
40001012	BETAMETHASONE DIPROPIONATE CREAM 0.05% 15GM
40001017	BETAMETHASONE DIPROPIONATE CREAM 0.05% 45GM
40002057	BETAMETHASONE DIPROPIONATE LOTION 0.05% 20ML
40001083	BETAMETHASONE DIPROPIONATE LOTION 0.05% 60ML
40001021	BETAMETHASONE DIPROPIONATE OINTMENT 0.05% 15GM
40001013	BETAMETHASONE DIPROPIONATE OINTMENT 0.05% 45GM
40001018	BETAMETHASONE VALERATE CREAM 0.1% 15GM
40001022	BETAMETHASONE VALERATE CREAM 0.1% 45GM
40001014	BETAMETHASONE VALERATE LOTION 0.1% 60ML
40001009	BETAMETHASONE VALERATE OINTMENT 0.1% 15GM
40001005	BETAMETHASONE VALERATE OINTMENT 0.1% 45GM
00210695	CORTIFOAM AEROSOL 20GM
01050048	DERMASMOOTH/FS OIL 120ML
40001007	FLUOCINOLONE ACETONIDE CREAM 0.01% 15GM
40002062	FLUOCINOLONE ACETONIDE CREAM 0.01% 60GM
40001027	FLUOCINOLONE ACETONIDE CREAM 0.025% 15GM
40001030	FLUOCINOLONE ACETONIDE CREAM 0.025% 60GM
40001035	FLUOCINOLONE ACETONIDE OINTMENT 0.025% 15GM
40001006	FLUOCINOLONE ACETONIDE OINTMENT 0.025% 60GM
40001028	FLUOCINOLONE ACETONIDE TOPICAL SOLUTION 0.01% 60ML
50004127	HYDROCORTISONE CREAM 1% 120GM
50004129	HYDROCORTISONE CREAM 1% 480GM
50004133	HYDROCORTISONE CREAM 1% 60GM
40001071	HYDROCORTISONE CREAM 2.5% 20GM
** 50003135	HYDROCORTISONE ENEMA 100MG/60CC
50004128	HYDROCORTISONE OINTMENT 1% 120GM
50004130	HYDROCORTISONE OINTMENT 1% 480GM
50004136	HYDROCORTISONE OINTMENT 1% 60GM
50004019	HYDROCORTISONE OINTMENT 2.5% 20GM
00321920	PROCTOCORT CREAM C APPLICATOR 30GM
00210690	PROCTOFOAM HC AEROSOL

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SECTION 141.4240 SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES (Cont'd)

Item Number	Drug Name and Strength
** 50005713	TRIAMCINOLONE ACETONIDE CREAM 0.025% 15GM
** 50005715	TRIAMCINOLONE ACETONIDE CREAM 0.025% 80GM
** 50005717	TRIAMCINOLONE ACETONIDE CREAM 0.025% 454GM
** 50005704	TRIAMCINOLONE ACETONIDE CREAM 0.1% 15GM
** 50005705	TRIAMCINOLONE ACETONIDE CREAM 0.1% 80GM
** 50005719	TRIAMCINOLONE ACETONIDE CREAM 0.1% 454GM
** 50005706	TRIAMCINOLONE ACETONIDE CREAM 0.5% 15GM
** 50005721	TRIAMCINOLONE ACETONIDE OINTMENT 0.025% 15GM
** 50005723	TRIAMCINOLONE ACETONIDE OINTMENT 0.025% 80GM
** 50004360	TRIAMCINOLONE ACETONIDE OINTMENT 0.025% 454GM
** 50005707	TRIAMCINOLONE ACETONIDE OINTMENT 0.1% 15GM
** 50005708	TRIAMCINOLONE ACETONIDE OINTMENT 0.1% 80GM
** 50004380	TRIAMCINOLONE ACETONIDE OINTMENT 0.1% 454GM
** 50004390	TRIAMCINOLONE ACETONIDE OINTMENT 0.5% 15GM

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS

Item Number	Drug Name and Strength
G** 00030375	ACTIDERM DERMATOLOGICAL PATCH
G** 05580076	ALLEVYN POLYURETHANE FOAM DRESSING 4" X 4"
G** 0581076	ALLEVYN POLYURETHANE FOAM DRESSING 8" X 8"
G** 05140062	ASEPTIN SKIN CREAM 85GM
** 50003531	BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 60GM
** 50003533	BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 120GM
G** 08117404	BARD ABSORPTION DRESSING
G** 08117401	EASY PACK GEL 28.3GM PACKET BARD ABSORPTION DRESSING UNIT DOSE STERILE PACKETS
G** 08117402	BARD ABSORPTION DRESSING 3GM PACKET
G** 08117403	BARD ABSORPTION DRESSING 6GM PACKET
G** 08117400	BARD ABSORPTION DRESSING 60GM
G** 08130024	BIOCLUSIVE DRESSING 2" X 3"
G** 08131024	BIOCLUSIVE DRESSING 4" X 5"
G** 08132024	BIOCLUSIVE DRESSING 4" X 10"
G** 08133024	BIOCLUSIVE DRESSING 5" X 7"
G** 08134024	BIOCLUSIVE DRESSING 8" X 10"
G** 05140502	BIOLEX WOUND CLEANSER 180ML

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

Item Number	Drug Name and Strength
G** 05141502	BIOLEX WOUND CLEANSER 355ML
G** 05140552	BIOLEX WOUND GEL 85ML
G** 08884001	BLISTERFILM TRANSPARENT DRESSING 2" X 3"
G** 08884019	BLISTERFILM TRANSPARENT DRESSING 3-1/2" X 4"
G** 08884027	BLISTERFILM TRANSPARENT DRESSING 5-1/2" X 6"
G** 10102060	CARA-KLENZ SPRAY 180ML
G** 10102160	CARA-KLENZ SPRAY 480ML
G** 10101005	CARRINGTON DERMAL WOUND GEL 15ML
G** 10101030	CARRINGTON DERMAL WOUND GEL 90ML
** 50000160	COLLAGENASE OINTMENT 250U/GM 15GM
** 50000161	COLLAGENASE OINTMENT 250U/GM 30GM
** 00160024	DEBRISAN 60GM
** 00161024	DEBRISAN 120GM
** 00162024	DEBRISAN 4GM PACKETS 7'S
** 00163024	DEBRISAN 4GM PACKETS 14'S
** 12815501	DECUBITEX OINTMENT 15GM
** 12816501	DECUBITEX OINTMENT 60GM
** 12814501	DECUBITEX OINTMENT 120GM
** 12814410	DECUBITEX POWDER 10GM
** 12814420	DECUBITEX POWDER 30GM
** 12814430	DECUBITEX POWDER 1GM 30'S
** 12814440	DECUBITEX POWDER 1GM 100'S
G** 02530126	DERMAGRAN OINTMENT 120GM
G** 02531126	DERMAGRAN OINTMENT 480GM
G** 02530127	DERMAGRAN SPRAY 120ML
G** 02531127	DERMAGRAN SPRAY 240ML
G** 02532127	DERMAGRAN SPRAY 3840ML
G** 00039879	DUODERM CGF EXTRA THIN DRESSING 4" X 4"
G** 00039879	DUODERM CGF EXTRA THIN DRESSING 6" X 6"
G** 00032876	DUODERM CGF STERILE DRESSING 4" X 4"
G** 00033876	DUODERM CGF STERILE DRESSING 6" X 6"
G** 00034876	DUODERM CGF STERILE DRESSING 8" X 8"
G** 00031879	DUODERM STERILE HYDROACTIVE PASTE 30GM
G** 00031876	DUODERM STERILE HYDROACTIVE DRESSING 4X4
G** 00031888	DUODERM STERILE HYDROACTIVE DRESSING 6X8
G** 00031986	DUODERM STERILE HYDROACTIVE DRESSING 8X8
G** 00031988	DUODERM STERILE HYDROACTIVE DRESSING 8X12
G** 00031877	DUODERM STERILE HYDROACTIVE GRANULES 4GM
** 00711255	ELASE FOR SOLUTION
** 00712221	ELASE OINTMENT 10GM SIZE
** 00711121	ELASE OINTMENT 30GM SIZE
** 00712124	ELASE/CHLOROMYCETIN OINTMENT 10GM SIZE
** 00711124	ELASE/CHLOROMYCETIN OINTMENT 30GM SIZE
G** 00885000	ENVISAN TREATMENT MULTIPACK
G** 00885001	ENVISAN TREATMENT PAD PACK

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4360

SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

Item Number	Drug Name and Strength	Item Number	Drug Name and Strength
G** 08231619	EPI-LOCK PRIMARY DRESSING 4" X 36"	G** 05587649	OPSITE TRANSPARENT WOUND DRESSING 11" X 11-3/4" (28CM X 30CM)
G** 08231620	EPI-LOCK PRIMARY DRESSING 4" X 4"	G** 05588649	OPSITE TRANSPARENT WOUND DRESSING 11" X 17-3/4" (28CM X 45CM)
G** 08231621	EPI-LOCK PRIMARY DRESSING 4" X 8"	G** 08231251	OPTIPORE SPONGE
G** 08231622	EPI-LOCK PRIMARY DRESSING 6" X 8"	G** 08231212	SHUR-CLENS 100ML
G** 08231623	EPI-LOCK PRIMARY DRESSING 8" X 12"	G** 05140004	SORBSAN WOUND DRESSING 2" X 2"
G** 08231618	EPI-LOCK PRIMARY DRESSING 22" X 36"	G** 05142092	SORBSAN WOUND DRESSING 3" X 3"
G** 08190203	FERRIS POLYMEM DOT DRESSING 2"	G** 05140092	SORBSAN WOUND DRESSING 4" X 4"
G** 08190503	FERRIS POLYMEM ROLL DRESSING 4" X 24"	G** 05140032	SORBSAN WOUND DRESSING 4" X 8"
G** 08190405	FERRIS POLYMEM STERILE DRESSING 4" X 5"	G** 05140093	SORBSAN WOUND PACKING 2GM (12" OR 30CM)
G** 08190606	FERRIS POLYMEM STERILE DRESSING 6" X 6"	G** 08231625	SYNTHADERM DRESSING 4" X 4"
G** 05580073	INTRASITE GEL INTERACTIVE HYDROGEL 25GM	G** 08231626	SYNTHADERM DRESSING 4" X 8"
G** 05580074	INTRASITE INTERACTIVE HYDROCOLLOID WOUND DRESSING 4" X 4"	G** 08231627	SYNTHADERM DRESSING 6" X 8"
G** 05582074	INTRASITE INTERACTIVE HYDROCOLLOID WOUND DRESSING 8" X 8"	G** 02121620	TEGADERM TRANSPARENT DRESSING #1620 FIRST AID STYLE 2-3/8" X 2-3/4"
G** 05551682	KALTOSTAT WOUND DRESSING 5.0CM X 5.0CM	G** 02121621	TEGADERM TRANSPARENT DRESSING #1621 FIRST AID STYLE 4" X 5-1/2"
G** 05552682	KALTOSTAT WOUND DRESSING 7.5CM X 12.0CM	G** 02121622	TEGADERM TRANSPARENT DRESSING #1622 FRAME STYLE 1-3/4" X 1-3/4"
G** 05553682	KALTOSTAT WOUND DRESSING 10.0CM X 20.0CM	G** 02121625	TEGADERM TRANSPARENT DRESSING #1625 FRAME STYLE 2-3/8" X 2-3/4"
G** 05554682	KALTOSTAT WOUND DRESSING 15.0CM X 25.0CM	G** 02121627	TEGADERM TRANSPARENT DRESSING #1627 FRAME STYLE 4" X 10"
G** 05551681	KALTOSTAT WOUND PACKING 2.0GM	G** 02121628	TEGADERM TRANSPARENT DRESSING #1628 FRAME STYLE 6" X 8"
G** 05465107	MESALT WOUND DRESSING 3/4" X 39"	G** 02121629	TEGADERM TRANSPARENT DRESSING #1629 FRAME STYLE 8" X 12"
G** 05465115	MESALT WOUND DRESSING 1-1/2" X 39"	G** 02121636	TEGADERM TRANSPARENT DRESSING #1636 FRAME POUCH STYLE 4" X 4-3/4"
G** 05465140	MESALT WOUND DRESSING 4" X 4"	G** 02121638	TEGADERM TRANSPARENT DRESSING #1638 POUCH STYLE 6" X 8"
G** 05551685	MITRAFLEX WOUND DRESSING 4" X 4"	G** 02121639	TEGADERM TRANSPARENT DRESSING #1639 POUCH STYLE 8" X 12"
G** 05552685	MITRAFLEX WOUND DRESSING 8" X 8"	G** 02129505	TEGADERM TRANSPARENT DRESSING #9505 FRAME STYLE 2-3/8" X 2-3/4"
G** 05580045	OPSITE TRANSPARENT WOUND DRESSING 2" X 3" (5CM X 7.5CM)	G** 02129506	TEGADERM TRANSPARENT DRESSING #9506 FRAME STYLE 4" X 4-3/4"
G** 05580042	OPSITE TRANSPARENT WOUND DRESSING 2" X 4" (5CM X 10CM)	G** 02120901	TEGASORB FLEXIBLE HYDROACTIVE DRESSING SMALL OVAL STERILE 4" X 4-3/4"
G** 05580649	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 4" (14CM X 10CM) 10/BOX	G** 02120902	TEGASORB FLEXIBLE HYDROACTIVE DRESSING SMALL SQUARE STERILE 4" X 4"
G** 05581694	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 4" (14CM X 10CM) 50/BOX	G** 02120903	TEGASORB FLEXIBLE HYDROACTIVE DRESSING MEDIUM OVAL STERILE 5" X 6"
G** 05582649	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 20" (14CM X 50-3/4CM)		
G** 05583649	OPSITE TRANSPARENT WOUND DRESSING 8" X 6" (20-1/3CM X 15CM)		
G** 05586649	OPSITE TRANSPARENT WOUND DRESSING 10-1/4" X 8" (26CM X 20-1/3CM)		
G** 05584649	OPSITE TRANSPARENT WOUND DRESSING 11" X 4" (28CM X 10CM)		
G** 05585649	OPSITE TRANSPARENT WOUND DRESSING 11" X 6" (28CM X 15CM)		

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SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

Item Number	Drug Name and Strength
G** 02120904	TEGASORB FLEXIBLE HYDROACTIVE DRESSING LARGE OVAL STERILE 6-1/2" X 7-7/8"
G** 02120905	TEGASORB FLEXIBLE HYDROACTIVE DRESSING LARGE SQUARE STERILE 6" X 6"
** 00481500	TRAVASE OINTMENT 14.2GM TUBE
G** 08885400	ULTEC HYDROCOLLOID DRESSING 4" X 4"
G** 08885800	ULTEC HYDROCOLLOID DRESSING 6" X 8"
G** 08882400	VIASORB WOUND DRESSING 3" X 8"
G** 08882104	VIASORB WOUND DRESSING 3" X 10"
G** 08882401	VIASORB WOUND DRESSING 4" X 6"
G** 08882005	VIASORB WOUND DRESSING 6" X 10"
G** 08882500	VIASORB WOUND DRESSING 7" X 7"
G** 08117410	VIGILON WOUND DRESSING 3" X 6" STERILE
G** 08117412	VIGILON WOUND DRESSING 3" X 8" STERILE
G** 08117416	VIGILON WOUND DRESSING 4" X 4" NON-ST
G** 08117411	VIGILON WOUND DRESSING 4" X 4" STERILE
G** 08117413	VIGILON WOUND DRESSING 6" X 8" STERILE
G** 08117414	VIGILON WOUND DRESSING 13" X 24" NON-ST

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.4520 SKIN/MUCOUS MEMBRANE: LOCAL ANTI-INFECTIVES

Item Number	Drug Name and Strength
** 50008106	ALCOHOL-ISOPROPYL 91% 480ML
** 50002760	BENZOYL PEROXIDE GEL, WATER BASE 5.0% 57GM
** 50002762	BENZOYL PEROXIDE GEL, WATER BASE 5.0% 114GM
** 50002764	BENZOYL PEROXIDE GEL, WATER BASE 10.0% 57GM
** 50002766	BENZOYL PEROXIDE GEL, WATER BASE 10.0% 114GM
* 50002806	CHLORHEXIDINE GLUCONATE SOLN 4% 480ML
** 50001265	HEXACHLOROPHENE EMULSION 3% 150ML
** 50001267	HEXACHLOROPHENE EMULSION 3% 480ML
01370575	RETIN-A GEL 0.01% 15GM
01371575	RETIN-A GEL 0.01% 45GM
01370475	RETIN-A GEL 0.025% 15GM
01371475	RETIN-A GEL 0.025% 45GM
01370075	RETIN-A-liquifid-0.05%-28ML
** 50000990	SILVER SULFADIAZINE CREAM 1.0% 20GM

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SECTION 141.4520 SKIN/MUCOUS MEMBRANE: LOCAL ANTI-INFECTIVES (Cont'd)

Item Number	Drug Name and Strength
** 50000992	SILVER SULFADIAZINE CREAM 1.0% 50GM
** 50000993	SILVER SULFADIAZINE CREAM 1.0% 85GM
** 50000994	SILVER SULFADIAZINE CREAM 1.0% 400GM

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.4560 SKIN/MUCOUS MEMBRANE: MISCELLANEOUS

Item Number	Drug Name and Strength
** 50003991	ACYCLOVIR OINTMENT 5% 3GM
** 50003993	ACYCLOVIR OINTMENT 5% 15GM
50008362	CALAMINE LOTION 120ML
** 60002988	COMP PREP INCLUDING ANY CRUDE COAL TAR, LCD, SULFUR, SALICYLIC OR LACTIC ACID
** 00262422	DOMEBORO POWDER PACKET 2.2GM
** 00262411	DOMEBORO TABLET
01630518	ELDOPAQUE OINTMENT 15GM
50002392	POVIDONE-IODINE OINTMENT 10% 30GM
50002390	POVIDONE-IODINE SOLUTION 10%
50002394	POVIDONE-IODINE SURGICAL SCRUB 10%
00660062	ZETAR EMULSION 30% 180ML
00660063	ZETAR SHAMPOO 180ML

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

SECTION 141.4680 UNCLASSIFIED

Item Number	Drug Name and Strength
60009999	COMPOUNDED PRESCRIPTION (MUST BE COMPOUNDED FROM ITEMS INCLUDED IN PROGRAM)
50002747	PENICILLAMINE TAB/CAP 125MG
50002748	PENICILLAMINE TAB/CAP 250MG
60009707	PRIOR APPROVAL - BASIC HEALTH COVERAGE
60009989	PRIOR APPROVAL - COMPOUNDED ITEM
60009898	PRIOR APPROVAL - DCFS CLIENT
60009700	PRIOR APPROVAL - EXCESSIVE QUANTITY
60009998	PRIOR APPROVAL - HYPERALIMENTATION
60009997	PRIOR APPROVAL - NON COVERED ITEM

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4680 UNCLASSIFIED (Cont'd)

Item Number Drug Name and Strength

** 50005601 SODIUM CHLORIDE INJ 50MEQ/20ML VIAL
** 50005602 SODIUM CHLORIDE INJ 100MEQ/40ML VIAL
50005604 SODIUM LACTATE INJECTION 50MEQ/20ML

(Source: Amended at 15 Ill. Reg. 7117, effective April 30, 1991)

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NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS
FOR GERIATRIC FACILITIES

2) Code Citation: 89 Ill. Adm. Code 147

3) Section Numbers: Adopted Action:

147.5 Amendment
147.15 New Section
147.25 Amendment
147.50 Amendment
147.75 Amendment

4) Statutory Authority: Sections 5-5 et seq. of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5 et seq.)

5) Effective Date of Adopted Amendments: April 30, 1991

6) Does this rulemaking contain an automatic repeal date?
Yes ☒ No

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 30, 1991

9) Notices of Proposal Published in Illinois Register:

December 14, 1990 (14 Ill. Reg. 19653)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version:

Section 147.24 has been changed to 147.15 and the title thereof changed from "Intensity Codes" to "Frequency Codes".

In 147.25 (a) (4) "should" in the first and third lines were changed to "shall". In the second line "resident" was changed to "resident's".

Same change as above in 147.25(b)(4) 147.25(c)(4), 147.25 (d)(4) and 147.25(e)(4).

In 147.25(f)(2)(A) "should" was changed in the first and third lines to "shall" and the spelling of "established" was corrected in the eight line.

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NOTICE OF ADOPTED AMENDMENTS

147.25(g) was changed from "Communication" to "Frequency Codes".

147.25(g)(5) was amended by deleting the words "with in service training as required for staff".

147.25(g)(6) was changed to 147.25(g)(7) and a new 147.25(g)(6) was added which reads, "Staff should receive in-service training, as required."

In 147.50(s) the words "at least" have been added to the seventh sentence of this sentence prior to the words "10 minutes".

In 147.50(r) "May" has been changed to "should" in the 6th sentence prior to the words "vary based on".

In 147.75 the definition of QHP and QMHP have been revised.

In 147.50(s), line 21 the word "quarter" is deleted and the words "2 hours" are added.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

147.5 Amendment January 25, 1991
(15 Ill. Reg. 870)

147.25 Amendment January 25, 1991
(15 Ill. Reg. 870)

147.50 Amendment January 25, 1991
(15 Ill. Reg. 870)

147.75 Amendment January 25, 1991
(15 Ill. Reg. 870)

147.200 Amendment February 22, 1991
(15 Ill. Reg. 2919)

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NOTICE OF ADOPTED AMENDMENTS

Section Numbers Proposed Action Illinois Register Citation

147.Table C New Section January 25, 1991
(15 Ill. Reg. 870)

147.Table D New Section January 25, 1991
(15 Ill. Reg. 870)

147.Table E New Section January 25, 1991
(15 Ill. Reg. 870)

147.Table F New Section January 25, 1991
(15 Ill. Reg. 870)

147.Table G New Section January 25, 1991
(15 Ill. Reg. 870)

147.Table H New Section January 25, 1991
(15 Ill. Reg. 870)

147.Table I New Section January 25, 1991
(15 Ill. Reg. 870)

15) Summary and Purpose of Adopted Amendments: The major part of this revision is the addition of three (3) new areas and three (3) expanded areas to the Inspection of Care survey. The three new areas are Comprehensive Resident Assessment, Communications and Restraint Management and Reduction. The three expanded areas are Contenance, Medications Monitoring and Social Services. These six areas are being revised to provide reimbursement to long term care facilities in order to assist facilities in meeting OBRA 87 requirements.

The additional revisions are for purposes of clarification as well as changing some required time frames to conform with the change to an annual Inspection of Care survey.

The changes implemented through this rulemaking are estimated to increase the Department's approximate expenditures for facilities by \$39.6 million in Fiscal Year 1992.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Daniel Leikvold, Staff Attorney
Office of the General Counsel

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Address:

Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone:

(217) 782-1233

The full text of the Adopted Amendments begin on the next page:

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 147

REIMBURSEMENT FOR NURSING COSTS FOR
GERIATRIC FACILITIES

Section
147.5

Reimbursement For Nursing Costs For Geriatric
Residents in Group Care Facilities

147.15

Comprehensive Resident Assessment

147.25

Functional Needs and Restorative Care

147.50

Service Needs

147.75

Definitions

147.100

Reconsiderations

147.105

Midnight Census Report

147.125

Times and Staff Levels

147.150

Statewide Rates

147.175

Referrals

147.200

Basic Rehabilitation Aide Training Program

147.205

Nursing Rates

147.250

Costs Associated with the Omnibus Budget

Reconciliation Act of 1987 (Emergency Expired)

147.300

Determination of Program (Specialized Services)

147.305

Costs

147.310

Specialized Service Requirements for Individuals

147.315

With Mental Illness in Residential Facilities

147.320

Inspection of Care (IOC) Review Criteria for the

147.325

Evaluation of Specialized Services in Residential

147.330

Facilities for Individuals with Mental Illness

147.335

Comprehensive Functional Assessments and

147.340

Reassessments

147.345

Interdisciplinary Team (IDT)

147.350

Comprehensive Care Plan (CCP)

147.355

Specialized Care - Administration of

147.360

Psychopharmacologic Drugs

147.365

Specialized Care - Behavioral Emergencies

147.370

Discharge Planning

147.375

Reimbursement for Program Costs in Nursing

147.380

Facilities Providing Specialized Services for

147.385

Individuals with Mental Illness

147.390

Reimbursement for Additional Program Costs

147.395

Associated with Providing Active Treatment for

147.400

Individuals with Developmental Disabilities in

147.405

Nursing Facilities

147.410

Staff Time and Allocation by Need Level (Emergency

147.415

Expired)

147.420

Staff Time and Allocation for Restorative Programs

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140. Table H and 140. Table I at 12 Ill. Reg. 6956; amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. 7043, effective April 24, 1989; emergency amendment at 13 Ill. Reg. 10999, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 16796, effective October 13, 1989; amended at 14 Ill. Reg. 210, effective December 21, 1989; emergency amendment at 14 Ill. Reg. 6915, effective April 19, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days; emergency expired November 1, 1990; emergency amendment at 14 Ill. Reg. 14203, effective August 16, 1990, for a maximum of 150 days; emergency expired January 13, 1991; emergency amendment at 14 Ill. Reg. 15578, effective September 11, 1990, for a maximum of 150 days; emergency expired February 8, 1991; amended at 14 Ill. Reg. 16669, effective September 27, 1990; amended at 15 Ill. Reg. 2715, effective January 30, 1991; amended at 15 Ill. Reg. 3058, effective February 5, 1991; amended at 15 Ill. Reg. 7162, effective April 30, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 147.5 Reimbursement For Nursing Costs For Geriatric Residents In Group Care Facilities

a) Sections 147.25-147.15 through 147.175 describe the Department's method of reimbursement for nursing costs for geriatric residents in group care facilities. Reimbursement for nursing costs is based on the resident's need for care and the time and type of staff required to provide that care.

b) Resident Assessment Guidelines

The Resident Assessment Instrument is used to assess the variable needs of public assistance residents for determination of statewide rates and facility reimbursement levels. The Resident Assessment

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NOTICE OF ADOPTED AMENDMENTS

Section 147.5 Reimbursement For Nursing Costs For Geriatric Residents In Group Care Facilities (Cont'd)

guidelines are described in Sections 147.25-147.15 through 147.75.

(Source: Amended at 15 Ill. Reg. 7162, effective April 30, 1991)

Section 147.15 Comprehensive Resident Assessment

Type Code: Frequency Codes

a) Two or more full comprehensive assessments were necessary and completed in the past year (based upon admission date or completion date of the last full comprehensive assessment). The interdisciplinary team must examine each resident no less than once every 3 months and, as appropriate, revise the resident's assessment to assure the continued accuracy of the assessment.

b) Nursing home residents admitted prior to October 1, 1990 are required to have a minimum data set comprehensive assessment completed before October 1, 1991.

(Source: Added at 15 Ill. Reg. 7162, effective April 30, 1991)

Section 147.25 Functional Needs and Restorative Care

A Resident Assessment Instrument is used to assess the variable needs of public assistance residents for determination of statewide nursing rates and facility reimbursement levels. The Resident Assessment guidelines as described in this Section identify the functional needs of the resident and the programs developed to improve their functional abilities.

a) Category 1 - Bathing/Grooming

1) Functional Description

A) Needs and receives hands-on assistance due to functional deficit(s) (as determined by physical or psychological causes). Resident is helped with bathing some part of her or

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NOTICE OF ADOPTED AMENDMENTS

Section 147.25 Functional Needs and Restorative Care (Cont'd)

his body. This includes oral hygiene, washing hair and shaving.

- B) Totally dependent. Resident requires and receives total assistance due to a functional deficit(s) (as determined by physical or psychological causes) from staff with bathing. Resident is bathed by a staff person whether the bath is given in the tub, shower, or bed.

2) Restorative Care

Bathing and Grooming - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in bathing and grooming due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and program intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

- 4) An assessment shall be completed identifying the resident's current level of functioning in bathing and grooming. The assessment shall state what the resident is able to do independently and what assistance is required and what makes it necessary. A definite base must be established so that anyone reading the assessment and progress notes can tell whether the individual has progressed in ability, or has lost functional ability.

- 4)5) Prior to a resident being given credit for restorative care in any program, the following must be met:

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Section 147.25 Functional Needs and Restorative Care (Cont'd)

- A) An assessment completed identifying the resident's current level of functioning and plan developed to increase this level of functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.

- B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

- C) Program must be reflected in the resident's care plan.

- D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record at least monthly.

- E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his functional ability, after initial improvement, credit will still be given as long as restorative care continues to be provided. (The care plan review is required by 42 CFR 456.380 (1987)-(1989) (no subsequent dates or editions) for facilities intermediate care and 42 CFR 483.20 (1989)) 456.380-(1987)-(no-subsequent-dates-or-editions)-for-skilled-nursing-facilities.

b) Category 2 - Clothing

1) Functional Description

- A) Needs and receives hands-on assistance due to a functional deficit(s) (as determined by physical or psychological causes). Resident requires and receives help with getting dressed. This involves the actual assisting with putting on clothes.

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- B) Totally dependent. Resident requires and receives total assistance due to a functional deficit(s) (as determined by physical or psychological causes) from staff with dressing. Resident is dressed by a staff person and does not participate in dressing of self. This includes bedfast residents being dressed in gown, pajamas, etc.

2) Restorative Care

Clothing - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in dressing due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

- 4) An assessment shall be completed identifying the resident's current level of functioning in dressing. The assessment shall state what the resident is able to do independently and what assistance is required and what makes it necessary. A definite base must be established so that anyone reading the assessment and progress notes can tell whether the individual has progressed in ability, or has lost functional ability.

- 4)5) Prior to a resident being given credit for restorative care in any program, the following must be met:

- A) An assessment completed identifying the resident's current level of functioning and

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plan developed to increase this level of functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.

- B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

- C) Program must be reflected in the resident's care plan.

- D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record at least monthly.

- E) The program is reviewed by at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his functional ability, after initial movement improvement, credit will still be given as long as restorative care continues to be provided. (The care plan review is required by 42 CFR 483.20 (1989)) 456-380-(1987)-(no-subsequent-dates-or-editions)-for-immediate-care-facilities-and-42-CFR-456-280-(1987)-(no-subsequent-dates-or-editions)-for-skilled-nursing-facilities.

c) Category 3 - Eating

1) Functional Description

- A) Resident needs and receives hands-on staff assistance due to functional deficit(s) (as determined by physical or psychological causes) to eat some part of the meal.
- B) Totally dependent. Resident requires and receives total assistance due to a

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functional deficit(s) (as determined by physical or psychological causes) from staff with eating.

- C) Tube Feeding. Resident requires and receives tube feeding. Resident is fed through naso/gastric tube or gastrostomy tube regardless of other oral food intake.

2) Restorative Care

Eating - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in eating due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

- 4) An assessment shall be completed identifying the resident's current level of functioning in eating. The assessment shall state what the resident is able to do independently and what assistance is required and what makes it necessary. A definite base must be established so that anyone reading the assessment and progress notes can tell whether the individual has progressed in ability, or has lost functional ability.

- 4)5) Prior to a resident being given credit for restorative care in any program, the following must be met:

- A) An assessment completed identifying the resident's current level of functioning and plan developed to increase this level of

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functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.

- B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

- C) Program must be reflected in the resident's care plan.

- D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinic record at least monthly.

- E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his/her functional ability, after initial improvement, credit will still be given as long as restorative care continues to be provided. The care plan review is required by 42 CFR 483.20 (1989)(456-380-(1987)-(no-subsequent-dates-or-editions)-for-intermediate-care-facilities-and-42-CFR-456-280-(1987)-(no-subsequent-dates-or-editions)-for-skilled-nursing-facilities.

- d) Category 4 - Mobility

- | 11) | Functional Description |
|-----|------------------------|
| | |

- A) Needs and receives hands-on assistance due to a functional deficit(s) (as determined by physical or psychological causes) with standing, transfer or movement about the facility. Resident can ambulate or move about facility per self once transfer is completed. Or, resident can transfer independently, but staff must assist resident with movement about the facility.

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- B) Resident requires and receives hands-on assistance due to a functional deficit(s) (as determined by physical or psychological causes) to transfer from bed to chair or wheelchair and requires and receives assistance with movement about the facility.

2) Restorative Care

Mobility - Staff has developed and is implementing a specific program to assist resident to improve functional abilities in transferring, ambulation, wheelchair mobility, and/or bed mobility due to a functional deficit(s) (as determined by physical or psychological causes).

3) Maintenance

Restorative care and program continues to be implemented, and is at a maintenance level after initial improvement. Restorative care and intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

- 4) An assessment shall be completed identifying the resident's current level of functioning in bed mobility, transfer and locomotion. The assessment shall state what the resident is able to do independently and what assistance is required and what makes it necessary. A definite base must be established so that anyone reading the assessment and progress notes can tell whether the individual has progressed in ability, or has lost functional ability.

- 4) Prior to a resident being given credit for restorative care in any program, the following must be met:

- A) An assessment completed identifying the resident's current level of functioning and plan developed to increase this level of

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functioning by either a physical therapist, occupational therapist, or a registered nurse who has successfully completed an approved rehabilitation course.

- B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

- C) Program must be reflected in the resident's care plan.

- D) Staff carries out the restorative care programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record at least monthly.

- E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his functional ability, after initial improvement, credit will still be given as long as restorative care continues to be provided. (The care plan review is required by 42 CFR 483.20 (1989)) 456-380-(1987)-(no-subsequent-dates-or-editions)-for-intermediate-care-facilities-and-42-CFR-456-280-(1987)-(no-subsequent-dates-or-editions)-for-skilled-nursing-facilities.

e) Category 5 - Continence

1) Functional Description

- A) Resident is incontinent of bladder and/or bowel (includes dribbling).
- B) Resident is incontinent-and-assisted to toilet as frequently as indicated by resident need.

2) Restorative Care

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Staff has assessed, planned, implemented and monitored, according to individual need, a specific formalized program to assist resident to improve abilities in continence.

3) Maintenance

Restorative care and formalized program continues to be implemented and is at a maintenance level after initial improvement. Restorative care and intervention have been modified and continue to be implemented to maintain the resident's improved condition. When scoring this Level 2 Maintenance, the ADL component must be scored zero.

4)

An assessment shall be completed identifying the resident's current level of functioning in continence. The assessment shall state what the resident is able to do independently and what assistance is required and what makes it necessary. A definite base must be established so that anyone reading the assessment and progress notes can tell whether the individual has progressed in ability, or has lost functional ability.

5)

Prior to a resident being given credit for restorative care in any program, the following must be met:

A) An assessment completed by a registered nurse, identifying the resident's current level of functioning, the cause or contributing factors of current incontinence, and a plan developed to increase this level of functioning by the interdisciplinary team.

B) A reassessment is conducted as indicated in the initial plan. An assessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

C) Staff carries out the restorative care

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programs as indicated by the plan and records resident's response to the restorative care programs in the clinical record at least monthly.

D)

The program is reviewed at the time of the care plan meeting by the interdisciplinary team; if resident fails to increase his/her functional ability, after initial improvement, credit will still be given as long as restorative care continues to be provided. The care plan review is required by 42 CFR 483.20 (1989).

f) Category 6 - Psycho/Social/Mental Status

1) Functional Description

Staff has developed and is implementing a specific intervention program that addresses psychosocial needs. This program is monitored by a Qualified Health Professional "QHP" as evidenced by signing off on care plan and/or response notes, with written recommendations as appropriate in the clinical record. This program must be in the care plan and the resident's response to staff's intervention must be recorded in the clinical record at least monthly.

Interventions may occur in 1:1 scheduled counseling sessions, group sessions no larger than eight, or strictly incident intervention. Incident intervention only programs are limited to residents with severe behavior problems which preclude participation in a more structured setting. Incident intervention only must consist of a plan with staff using ongoing specifically identified interventions for identified behavior occurrences. The plan may consist of any combination of the above-mentioned techniques. Interventions must take place at least three times a week.

2) Prior to a resident program being given credit for psychosocial/mental status, the following must be met:

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A) An assessment shall be completed identifying the resident's current psychosocial status need-and-a-specific-plan-developed. The assessment shall state what the resident is able to do independently and what assistance is required and what makes it necessary. A definite base must be established so that anyone reading the assessment and progress notes can tell whether the individual has progressed or regressed. For episodic intervention, an assessment must include duration, intensity and frequency of behavior. The assessment for episodic behavior must also include precipitating factors and consequences.

B) A reassessment is conducted as indicated in the initial plan. A reassessment must be conducted at least every 90 days but can be conducted as frequently as needed based on outcome and response.

C) A program must be reflected in the resident's care plan.

D) Staff carries out the program as indicated by the plan and records such in the clinical record at least monthly.

E) The program is reviewed at the time of the care plan meeting by the interdisciplinary team is defined by the Department of Public Health at 77 Ill. Adm. Code 300.330. (The care plan review is required by 42 CFR 483.20 (1989)) 456,380-{1987}-{no-subsequent-dates-or-editions}-for-intermediate-care-facilities-and-42-CFR-456,280-{1987}-{no-subsequent-dates-or-editions}-for-skilled-nursing-facilities. The interdisciplinary team is defined by the Department of Public Health at 77 Ill. Adm. Code 300.330.)

g) Category 7 - Frequency Codes

1) Functional Description

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Resident has been assessed, needs and receives special assistance or care as a result of altered sensory reception or transmission including visual, auditory, or speech.

2) Type Code: Intensity Codes

A) Interventions are developed and implemented to address one communication deficit.

B) Interventions are developed and implemented to address two communication deficits.

C) Interventions are developed and implemented to address three communication deficits.

3) Approved appliances and assistive devices, including application and care of the appliance, are covered in the appliance category.

4) Interventions must have a comprehensive 7-day a week philosophy.

5) Interventions must be monitored by interdisciplinary team.

6) Staff should receive in-service training, as required.

7) Interventions must be conducted on an individual resident basis.

(Source: Amended at 15 Ill. Reg. 7162, effective April 30, 1991)

Section 147.50 Service Needs

This Section describes the Department's method of reimbursement for nursing costs for service needs through the use of the Resident Assessment Instrument. It further describes therapy services that may be needed by residents that are reimbursable through a separate post-payment audit system.

a) Category 1 - Appliances

1) Type Code: Frequency codes

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One or more appliances.

2) Appliances

Appliances, restricted to the following devices, that the facility staff assist the resident with applying, and/or maintenance/care of the appliance as indicated per physician's or dentist's orders and/or resident plan of care.

- A) Hearing device (one or two)
- B) Elastic joint supports
- C) Ted or jobst hose (one or two)
- D) A neck brace
- E) A back brace
- F) Artificial limbs
- G) Trusses (male and female)
- H) Prescribed ACE bandages
- I) Cervical collars
- J) Leg braces
- K) Arm braces
- L) Head braces
- M) Splints
- N) Slings
- O) Contact lens
- P) Artificial eye
- Q) Protective helmet
- R) Cylinder braces
- S) Eyeglasses

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T) Dentures

U) Electrolarynx

V) Augmentative communication system

W) TENS Unit

X) Wheelchair cuffs

Y) ADL adaptive equipment

Z) Abductor bar/pillow

AA) Self-release safety devices

b) Category 2 - Catheterization

Type code: Intensity codes

Indwelling, Texas, supra pubic catheter, intermittent catheterization, including care and irrigation

c) Category 3 - Deeubitus-Pressure Ulcer Treatment

Type code: Intensity codes

1) Resident has been admitted with a stage I or II deeubitus-pressure ulcer.

2) Resident has been admitted with a stage III or IV deeubitus-pressure ulcer.

3) Resident has a Stage I or II pressure ulcer that developed while in the facility.

4) Resident has a Stage III or IV deeubitus-pressure ulcer that developed while in the facility.

d) Category 4 - Deeubitus-Pressure Ulcer Prevention

Type code: Intensity codes

1) Resident has been assessed, using a comprehensive assessment instrument, to determine risk for developing deeubitus-pressure ulcers and has scored in the moderate risk category. A

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comprehensive preventative program as specified in the care plan is implemented and must address, but is not limited to, positioning schedules, range of motion program, nutritional support, and skin measures (i.e., whirlpool, etc.) as determined by facility policy.

- 2) Resident has been assessed, using a comprehensive assessment instrument, to determine risk for developing decubitus-pressure ulcers and has scored in the high risk category. A comprehensive preventative program as specified in the resident care plan is implemented and must address, but is not limited to, special mattresses or wheelchair cushions to reduce pressure, a positioning schedule, range of motion program, nutritional support and daily skin checks, and skin care measures (i.e., whirlpool, etc.) as dictated by facility policy for high risk residents.

e) Category 5 - Wound Care

Type code: Intensity codes

- 1) Dressings and/or skin treatments for noninfected areas.
- 2) Complex dressings (such as sterile dressings or post-op) and/or treatment to lesions that are infected.

f) Category 6 - Injections

Type code: Frequency codes

- 1) Requires and receives injections less than daily but at least once a month, on a regular basis as per physician order.
- 2) Requires and receives one or more injections daily.

g) Category 7 - Intravenous Therapy: I.V.'s and Clysis

Type code: Frequency codes

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- 1) Required and received I.V. or clysis for at least 48 hours (intermittent or continuous) during the past three-six months.
- 2) Required and received I.V. or clysis seven or more days in past three-six months.

h) Category 8 - Laboratory-Specimen Service

Type code: Frequency codes

Resident required and facility staff collected one or more of the following: a specimen including blood specimen, urine specimen either by midstream "cleancatch" or by catheter, sputum specimen, stool specimen, swabs of throat, lesions, diabetic urine test, telephonic pacemaker check or electrocardiogram or oximeter or glucometer readings or checking and monitoring of dialysis shunts. Specimens collected by an outside lab are not included.

- 1) One time in the last three-six months.

- 2) Once a week.

- 3) Daily.

i) Category 9 - Medications/Medication Monitoring

Type code: Intensity codes

- 1) Resident needs and receives medication four times a day or more during off-hours or by multiple routes, and requires routine monitoring to check for untoward reaction or side effects. Also included is a resident who needs and receives medication that requires special monitoring by licensed personnel with need for assessing and reporting to physician if necessary, changes in resident status, lab work, side effects, or apparent drug interactions. This can result in an adjustment of dosage or medication, or in continuing assessment of an unstable condition.

2) Medication Programs

- A) Resident is on a supervised program to

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increase or maintain an acquired level of independent self-administration of medication. The resident's cognitive, physical and visual ability to carry out this responsibility has been assessed by the interdisciplinary team. Nursing staff is responsible for drug storage and for recording self-administration in the resident's medication administration record; or

- B) Resident is involved in a program to discontinue or reduce psychotropic medication to the lowest possible dose necessary to control symptoms.

j) Category 10 - Occupational Rehabilitation Services

1) Type code: Intensity Code

The occupational rehabilitation program shall be ordered by a physician. It shall be planned and designed specifically for the resident by a registered or licensed occupational therapist (OTR/L) (68 Ill. Adm. Code 1315). The program occupational rehabilitation services shall be administered by a rehabilitation aide or Certified Occupational Therapist Assistant ("COTA") under the supervision of the OTR/L. There shall be a monthly review of progress documented by the OTR/L, or if written by the COTA, co-signed by the OTR/L.

- 2) There must be a reasonable likelihood that the rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan meeting review by the interdisciplinary team.

- 3) Prior to a resident being given credit in occupational rehabilitative services, the following conditions must be met:

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- A) A corresponding ADL restorative program must be developed to increase the resident's functional ability and it must be carried out by the nursing department. The resident's response to the intervention must be recorded in the clinical record.
- B) The occupational rehabilitation aide must be a certified nurse's aide, or have a related degree, or two years of college in a related field, or an approved 36 hour activity course and has received specified training as outlined and approved by the Department of Public Aid.

- C) For residents with a mentally ill diagnosis, if occupational rehabilitation is scored, a psychosocial and/or a corresponding ADL program must have been developed and scored.

k) Category 11 - Physical Rehabilitation Services

1) Type code: Intensity Code

The physical rehabilitation program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the Registered Physical Therapist (RPT). The physical rehabilitation services shall be administered by a Physical Therapy Assistant (PTA) or a rehabilitation aide under the supervision of the RPT. There shall be a monthly review of the progress documented by the RPT or if written by the PTA, co-signed by the RPT.

- 2) There must be a reasonable likelihood that the rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan meeting review by the interdisciplinary team.

- 3) Prior to a resident being given credit in

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physical rehabilitation services, the following must be met:

- A) A corresponding ADL restorative program must be developed to increase the resident's functional ability and it must be carried out by the nursing department. The resident's response to the intervention must be recorded in the clinical record.
- B) The physical rehabilitation aide must be a certified nurse aide, or have completed at least one year of nurses training and have received specified training as outlined and approved by the Illinois Department of Public Aid.
- C) For residents with a mentally ill diagnosis, if physical rehabilitation is scored, a psychosocial and/or a corresponding ADL program must have been developed and scored.

1) Category 12 - Passive Range of Motion (PROM)

Type code: Frequency Code

Resident requires and receives PROM exercises to at least one extremity at least two times per day.

m) Category 13 - Ostomy Care

Type code: Intensity codes

Includes gastrostomy, ileostomy, jejunostomy and colostomy.

- 1) Uncomplicated care of ostomy (gastrostomy included). Includes routine care and maintenance of the ostomy, i.e., cleansing and appliance change.
- 2) Complex ostomy, Includes post/op operative, ostomies, care of Percutaneous Endoscopic Gastrostomy (PEG) tubes, or an ostomy that, given the patient's overall condition, requires licensed care. All ostomies that have become

excoriated or require a prescription medication application are included.

n) Category 14 - Respiratory Therapy

1) Type code: Intensity codes

- A) Uncomplicated provision of these therapies. Resident is capable of administering his/her own respiratory therapy (oxygen and humidity) with minimum assistance from licensed personnel and routine monitoring by staff.
- B) Complex due to the nature of the resident's condition, type procedure or multiplicity of procedures required. Positive pressure breathing therapy, aerosol therapy, etc. and complicated problems with oxygen-humidity is required by resident. Resident is totally dependent upon administration by licensed staff.

- 2) Respiratory therapy includes oxygen, positive pressure breathing therapy, humidity therapy, or aerosol therapy. Room humidifiers are not included.

o) Category 15 - Suctioning

1) Type code: Frequency codes

- A) At least twice weekly.
- B) Once or more daily.

- 2) Includes postural drainage, percussion, and vibration.

p) Category 16 - Tracheostomy Care

1) Type code: Intensity codes.

- A) Requires routine cleansing of tracheostomy site and non-sterile dressing change. Tracheostomy care managed by staff.

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- B) Requires and receives complex care to tracheostomy site more than one time daily which includes the changing of sterile or complex dressings, suctioning or changing of the tracheostomy tube, and/or monitoring of unstable respiratory status.

- 2) Includes care of tracheostomy site.

q) Category 17 - Discharge Planning

Type code: Intensity codes

A specific discharge plan has been developed by an interdisciplinary team and reflected in the resident care plan. Includes only residents with discharge anticipated within the next three (3) months to a less restrictive environment. This plan shall include family and other state agency programs where appropriate (e.g. Department on Aging and Department of Rehabilitation Services). Discharge of the resident need not be accomplished provided the plan has been implemented and the services were within the past ~~four~~-six months.

r) Category 18 --Exercise, Health and Fitness Programs

Type code: Intensity Codes.

A health and fitness program has been specifically planned for the resident by a licensed nurse. The fitness program is written on the resident's fitness card. Following the resident's attendance, participation in the specific routines must be recorded on the resident's fitness card. The program is carried out at least three times per week. The resident's response to the program must be documented in the clinical record one time per month. Fitness routines may should vary based on the resident's physical condition, fitness preferences and plan of care. Programs may be self-monitored. Programs may consist of, but are not limited to walking/fitness trails, flexibility exercises, endurance maintenance, wheel chair pushups, swimming, biking, basketball, baseball, and/or volleyball.

s) Category 19 - Restraint Management and Reduction

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Type Code: Intensity Codes

The resident has been assessed by licensed staff and, for clearly documented reasons which are not life threatening, has been determined to be in need of a physical restraint, the resident, family (if appropriate), guardian or legal representative has consented to the use of the physical restraint. The staff has attempted less restrictive measures and documented the results. Consultation has taken place with appropriate health professionals, such as physician, occupational therapist, physical therapist or rehab certified registered nurse, in the use of less restrictive supportive devices or methods. Where appropriate, the less restrictive measures have been successfully maintained without the use of physical restraints. Where less restrictive measures have not been successful and physical restraints have been applied, the care plan documents the duration, type and circumstances under which the restraint can be used. The restraints are properly applied and the resident is released from the restraint, exercised or ambulated, and repositioned for at least 10 minutes at least every 2 hours, the interdisciplinary team reviewed the continuing need for restraints and that reduction in duration or less restrictive measures have been discussed. As the interdisciplinary team determines, an individualized restraint reduction program is developed and implemented.

t) Category - Social Services

1) Type Code: Intensity Codes

Resident and/or family and/or guardian counseled on residents rights at admission and reviewed individually with residents and/or family and/or guardian at least annually. Staff orients resident and/or family and/or guardian to facility programs, Medicare/Medicaid programs (including prevention of spousal impoverishment), available medical services, community support services, and the resident's personal allowances, and gives assistance to resident in applying for any needed services. Facility ascertains and arranges to secure or provide resident's choice of pastoral care. Resident and/or family and/or

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guardian are encouraged to participate in care plan conferences. Facility acquaints resident with resident council purpose/functions and encourages participation.

- 2) To qualify for Level 2, all Level 1 requirements must be in place as well as the following: Resident has participated in a monthly standard social service interview soliciting resident opinions and preferences about defined aspects of the quality of life in the facility. If resident is unable to participate in this interview, a family or guardian interview, in person or by phone, may be done on a monthly basis.

6) Category - Therapy Services

- 1) Speech-Language Pathology and Audiology (SLP/A) Rehabilitative Services

A) General Criteria

There must be a reasonable likelihood that the treatment will improve the resident's functional means of communication. While there is no specific time limit on the duration of these services, improvement of the resident's condition must be evident in the therapist's documentation.

B) Specific Criteria

Resident requires and facility provides a Speech-Language Pathology and Audiology (SLP/A) Rehabilitative Program as ordered by a physician, planned and designed specifically for the resident by a certified speech-language pathologist/audiologist or Clinical Fellow (CFY) and including measurable goals. This program is carried out on a regularly scheduled basis by a certified speech-language pathologist/audiologist or Clinical Fellow (CFY). Progress notes are to be recorded as to the improvement of the resident's condition. This service must be reevaluated monthly by

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the certified speech-language pathologist/audiologist.

- 2) Physical Therapy and Related Rehabilitative Services

A) General Criteria

There must be a reasonable likelihood that the physical therapy and/or the physical rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan review by the interdisciplinary team. The care plan review is required by 42 CFR 483.20 (1989) 456-380-(1984)-for-intermediate-care-facilities-and-42-CFR-456-380-(1984)-for-skilled-nursing-facilities. The interdisciplinary team is defined in 77 Illinois Administrative Code, Section 300.330.

B) Specific Criteria

i) Physical Therapy I

Physical therapy shall be planned and designed specifically for the resident by a physical therapist (PT). This plan must include measurable goals. The program shall be carried out on a regularly scheduled basis by an individual with qualifications of a physical therapist. There must be a review of progress toward goals documented by the PT monthly.

ii) Physical Therapy II

The physical therapy program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the PT. The direct

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physical therapy services shall be administered by a physical therapist assistant (PTA) under the supervision of the PT. There shall be a review of the progress documented either by the PT or the PTA monthly. The PT must cosign the PTA's documentation monthly.

iii) Physical Therapy Assessment

Resident has been evaluated, assessed or reassessed by a physical therapist and a specific restorative program developed to increase resident's functional level. This program is then implemented by the nursing department. This is not scored if resident is also in any rehabilitation program.

3) Occupational Therapy and Related Rehabilitative Services

A) General Criteria

There must be a reasonable likelihood that the occupational therapy and and/or the occupational rehabilitation services will improve the resident's functional ability. While there is no specific time limit on the duration of these services, benefit to the resident's functional ability must be evident in the therapist's documentation. This service must be reviewed at the time of the care plan review by the interdisciplinary team. (The care plan review is required by 42 CFR 483.20 (1989) 456.380-{1987}-{no-subsequent-dates-or-editions}-{for-intermediate-care-facilities}-and-42-CFR-456.280-{1987}-{no-subsequent-dates-or-editions}-{for-skilled-nursing-facilities}. The interdisciplinary team is defined in 77 Illinois Administrative Code, Section 300.330.

B) Specific Criteria

i) Occupational Therapy I

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 147.50

Service Needs (Cont'd)

The occupational therapy shall be ordered by a physician. It shall be planned and designed specifically for the resident by a registered occupational therapist/licensed (OTR/L). This plan must include measurable goals. The program shall be carried out on a regularly scheduled basis by an individual with qualifications of a registered occupational therapist/licensed (OTR/L). There must be a review of progress towards goals documented by the OTR/L every month.

ii) Occupational Therapy II

The occupational therapy program shall be ordered by a physician. It shall be designed and planned specifically for the resident by the OTR/L. The direct occupational therapy services shall be administered by a certified occupational therapy assistant/licensed (COTA/L) under the supervision of the OTR/L. There shall be a review of the progress documented either by the OTR/L or COTA/L monthly. The OTR/L must cosign the COTA/L's documentation after monthly.

iii) Occupational Therapy Assessment

Resident has been evaluated, assessed or reassessed by a registered occupational therapist/licensed (OTR/L) and a specific restorative program developed to increase resident's functional level. This program is then implemented by the nursing department. This is not scored if resident is also in any rehabilitation program.

(Source: Amended at 15 Ill. Reg. 7162, effective April 30, 1991)

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NOTICE OF ADOPTED AMENDMENTS

Section 147.75 Definitions

"ADL." Activities of daily living.

"ADL Adaptive Equipment." ADL adaptive equipment refers to any device applied to the hand or arm that allows for independence in eating, grooming, writing, bathing, dressing.

"Ambulate." Process of moving from one place to another either on foot (with or without a device) or in a wheelchair.

"Approved rehabilitation nurse." Is a registered professional nurse who shall have successfully completed a course approved by the Department of Public Health or documents at least 60 hours of classroom/laboratory training in restorative/rehabilitative nursing as evidenced by a transcript, certificate, diploma or other written documentation from an accredited school or recognized accrediting agency such as a state or national organization of nurses or a state licensing authority.

"Assessment." The process of obtaining and interpreting data by licensed personnel. These data is gathered through record review, specific, direct observation, interview, and the administration of data collection procedures.

Agency Note: The requirement of an assessment/reassessment is indicated for several of the functional and/or service categories. Reference to an assessment does not mean the facility must develop a distinct assessment form for each category. Facilities should be encouraged to conduct a comprehensive assessment with emphasis given to the areas upon which resident programs or care plans will be based. A reassessment does not require the completion of a new assessment duplicating the comprehensive assessment already conducted. A reassessment requires a focused review of the resident's current status, progress, and the continual appropriateness of the program and/or care plan. The professional conducting the reassessment should document findings by updating the initial assessment.

"Assistance." Assistance refers to hands-on services

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NOTICE OF ADOPTED AMENDMENTS

Section 147.75 Definitions (Cont'd)

by a staff member to help a resident do something such as to clothe, eat, etc.

"Certified Occupational Therapist Assistant." Has completed an occupational therapy program of at least two years in length leading to an associate degree or its equivalent approved by the Department of Registration and Education (DRE) and that person has successfully completed the examination authorized by DRE (see Ill. Rev. Stat. 1985-1989, ch. 111, pars. 3701 et seq.).

"Certified Therapeutic Recreation Specialist." A certified therapeutic recreation specialist is one who is presently certified by the National Council on Therapeutic Recreation Certification. These standards are as follows:

Baccalaureate degree or higher from an accredited college or university with a major in therapeutic recreation, or a major in recreation with an option in therapeutic recreation (degree must be verified by an official transcript); or

Baccalaureate degree or higher from an accredited college or university verified by an official transcript and the following: completion of a minimum of nine semester units or 12 quarter units of upper division or graduate level coursework in therapeutic recreation content course (there must be at least three content courses in therapeutic recreation with a minimum of three units credit per course); and completion of a minimum of nine semester units or 12 quarter units of upper division or graduate level coursework in general recreation content course (there must be at least three content courses in general recreation with a minimum of three units credit per course); and minimum of 24 semester units or 36 quarter units of content coursework covering three of these six areas: adaptive physical education, human services, psychology, sociology, special education or related biological/physical sciences; in one of the specified-related degree areas (art education, dance, drama, early childhood education, music education, physical education, psychology,

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 147.75 Definitions (Cont'd)

~~rehabilitation, sociology, special education, and five years of full-time paid experience in a clinical, residential, or community-based therapeutic recreation program, and eighteen semester hours of twenty-seven quarter hours of upper level (junior and senior level) or graduate credits in therapeutic recreation courses (all courses must be verified by an official transcript).~~

"Clinical Fellow" (CFY). The educational equivalent to a certified Speech-Language Pathologist/Audiologist. This entry level professional is engaged in completion of the Clinical Fellowship Year/CFY required for certification as a Speech-Language Pathologist/Audiologist.

"Dependent (totally)." Resident requires the activity of the given area of need to be administered and/or performed by the facility staff and the resident cannot perform the activity himself/herself.

"Fitness Card." A card which includes individual resident data along with planned activities, necessary monitoring and documentation requirements.

"Fluidotherapy." A multifunctional modality that simultaneously applies heat, massage, sensory stimulation and pressure oscillation through the use of pulverized corn husks. It is used to decrease pain and edema, increase range of motion and circulation, and heal open or closed wounds. Unlike water, the dry natural media does not irritate the skin or produce thermal shock.

"Intervention." Planned interactions requiring either hands-on or verbal action by staff member. Actions are purposeful with the intent of altering or maintaining a resident's condition. Interventions are documented in resident's individualized plan of care.

"Less Restrictive Environment." Discharge to a less restrictive environment entails transfer of a resident from a skilled or intermediate care facility to a facility providing sheltered care or room and board; or discharge of a resident to home or independent living arrangement.

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NOTICE OF ADOPTED AMENDMENTS

Section 147.75 Definitions (Cont'd)

"Monitor." Direct observation by staff of a resident for a specific purpose.

"Normal operations of facility." Daily patterns of staff carrying out their prescribed duties or residents engaging in routine patterns of daily living.

"Occasional." Action that does not occur in a pattern. For example, a resident is occasionally incontinent when he/she, due to medication, certain foods, excitement, etc., may have an accident. However, it is not a consistent pattern.

"Occupational Therapist Registered/Licensed." Is a graduate of an occupational therapy program of at least four years in length leading to baccalaureate degree or its equivalent approved by DRE and that person has successfully completed examination authorized by DRE (see Ill. Rev. Stat. 1985, ch. 111, pars. 3701 et seq.).

"Off-hours." Refers to medication prescribed by the physician to be given at times other than the facilities routine times for dispensing medications. Off-hour medications should be given for specific purposes (i.e. eye drops, antibiotics, etc.) and should be of a limited duration.

"Paraffin Heat Therapy." A paraffin bath is wax which has been completely melted to 126°(F) - 130°(F). This treatment is used to apply heat uniformly to hand, foot, or other body areas to relieve pain, soreness and to relax muscle spasms. The heat relaxes the muscles and stimulates circulation of blood.

"Physical Restraints." Any manual method or physical or mechanical device, material or equipment attached or adjacent to the resident's body that the individual cannot remove easily which restricts freedom of movement or normal access to one's body. Arm and leg restraints, hand mitts, soft ties or vests, wheelchair safety bars and gerichairs are considered physical restraints.

"Physical Therapist." Is a person who has graduated from a curriculum in physical therapy approved by the

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NOTICE OF ADOPTED AMENDMENTS

Section 147.75 Definitions (Cont'd)

Department of Registration and Education (DRE) and has passed an examination approved by the DRE to determine his fitness for practice as a physical therapist.

"Physical Therapist Assistant." Is a person who has graduated from a two year college level program approved by the American Physical Therapy Association; or has two years of appropriate experience as a physical therapist assistant and has achieved a satisfactory grade on a proficiency examination conducted, approved, or sponsored by the U.S. Public Health Service.

"Psychotropic Drugs." Any drugs which are used for anti-psychotic, anti-depressant, anti-manic, sedative-hypnotic, and/or anti-anxiety purposes and which are intended to control mood, mental status or behavior of the resident.

"Qualified Health Professional (QHP)." An educator with a degree in education from an accredited program. A registered physical or occupational therapist. A physician licensed by the State of Illinois to practice medicine or osteopathy. A psychologist with a valid, current Illinois registration. A registered nurse with a valid, current Illinois registration. A registered speech pathologist or audiologist.

A registered social worker-person with a Bachelor's Degree in social work from an accredited program, or a Bachelor's Degree in a field other than social work and at least three years social work experience under the supervision of a qualified social worker one of the following areas of concentration: social work, applied sociology, applied psychology, or counseling and one year of health care experience in a health care setting. A therapeutic recreation specialist who is a graduate of an accredited program and eligible for certification by registration in the National Council for Therapeutic Recreation Certification society. A rehabilitation counselor who is certified by the Committee on Rehabilitation Counselor Certification.

"Qualified Mental Health Professional (QMHP)." A qualified health professional (as defined below) who has specialized training or one year of experience in

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 147.75 Definitions (Cont'd)

working with the mentally ill. A person who has at least one year of experience working directly with persons with mental illness and is one of the following: a doctor of medicine or osteopathy; a registered nurse; a psychologist with at least a master's degree in psychology from an accredited school; or an individual who holds at least a bachelor's degree in one of the following professional categories: An occupational therapist or occupational therapy assistant certified by the American Occupational Therapy Association or other comparable body; A social worker with a bachelor's degree from a college or university or graduate degree from a school of social work accredited or approved by the Council on Social Work Education or another comparable body; A human services professional including, but not limited to: sociology, special education, rehabilitation counseling and psychology.

"Rehabilitation services." Rehabilitation services are those related professional therapy services provided by or under the supervision of licensed, certified, or registered personnel, specifically designed for a particular resident to improve the resident's functional abilities. These programs must be individually developed, have the potential to benefit the resident, and be ordered by the resident's physician. At a minimum these services must be provided by a duly qualified, certified nurse aide trained in a rehabilitation program approved by the Department of Public Aid. While there is no specific time limitation for their duration, improvement of the resident's condition should be evident in the resident's record.

"Restorative services." Restorative services are those medical and nursing treatments provided either by or under the supervision of licensed personnel specifically required to maintain or improve a resident's functional condition or prevent further deterioration. These procedures should be reviewed by the facility's interdisciplinary team at the time of the care plan review and incorporated into the care plan. Services can include passive range of motion, palliative skin care, positioning, bowel and bladder retraining, ambulation, ADL retraining.

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Section 147.75 Definitions (Cont'd)

"Skilled services." Resident requires on a daily basis the direct observation, assistance, monitoring, or performance of nursing procedures by a licensed-registered nurse or the direct supervision by a licensed-registered nurse.

"Supervise." The process of overseeing or directing either staff in the care of the resident or the resident him/herself in performing certain functional or medical tasks. In the case of residents, staff must be present either to instruct, prompt, or to make sure the resident carries out a specific task in such a manner as to complete the task or avoid injury. In the case of staff, it is either direct supervision or the giving of detailed verbal or written instructions on how to carry out a specific procedure for or on a resident.

"Transfer." The process of physically moving a resident from one place to another.

(Source: Amended at 15 Ill. Reg. 7162, effective April 30, 1991)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: RIGHTS AND RESPONSIBILITIES

2) Code Citation: 89 Ill. Adm. Code 102

3) Section Numbers: Adopted Action:

102.70 Amendment
102.81 Amendment

4) Statutory Authority: Sections 11-4, 11-8, and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 11-4, 11-8 and 12-13)

5) Effective Date of Adopted Amendments: April 30, 1991

6) Does this rulemaking contain an automatic repeal date?
Yes X No

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 30, 1991

9) Notices of Proposal Published in Illinois Register:

January 18, 1991 (15 Ill. Reg. 409)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: There were no changes made to this rulemaking.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments: As the result of the settlement of Malone v. Kustra, (No. 89 C 7492, U.S. District Court for the Northern District of Illinois, Eastern Division) the Department is changing its policies regarding the time period in which a Public Aid client can appeal a notice of reduction or termination of benefits and

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

have the benefits continued unchanged pending a hearing decision on the appeal. Under the former policy, a client had to appeal within 10 days from the date of the notice to have benefits continued unchanged while the appeal was pending. Under the new policy, a client is entitled to unchanged benefits during the appeal process if the appeal is filed on or before the date the reduction or termination will occur. For grant and food stamp cases, the date a reduction or discontinuance will occur is the scheduled mailing date for the affected benefits. For medical assistance only cases, the date is the first day of the calendar month in which the medical assistance is affected, or the next work day if the first calendar day is a Saturday, Sunday or holiday.

Additionally, this rulemaking clarifies notice and appeal provisions in circumstances such as monthly reporting and initiation of a protective payment plan that are outside the scope of Malone. The rulemaking also corrects notice of decision time frames for Special and Emergency Assistance requests made by active AFDC cases.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Myron Brigman, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 102

RIGHTS AND RESPONSIBILITIES

Section	
102.1	Incorporation By Reference
102.10	Rights of Clients
102.20	Nondiscrimination
102.25	Grievance Rights of Clients
102.30	Confidentiality of Case Information
102.35	Case Records
102.40	Freedom of Choice
102.50	Reporting Change of Circumstances
102.60	Referral Requirements
102.63	Reporting Child Abuse/Neglect
102.66	Suitability of Home
102.70	Notice to Client
102.80	Right to Appeal
102.81	Continuation of Assistance Pending Appeal
102.82	Time Limit for Filing an Appeal
102.83	Examining Department Records
102.84	Child Care
102.90	Voluntary Repayment of Assistance
102.100	Excess Assistance (Recodified)
102.110	Recoupment of Overpayments (Recodified)
102.120	Correction of Underpayments
102.200	Recovery of Assistance
102.210	Estate Claims
102.220	Real Property Liens
102.230	Filing and Renewal of Liens
102.240	Foreclosure of Liens
102.250	Release of Liens
102.260	Personal Injury Claims
102.270	Convictions of Fraud - Eligibility
102.280	Single Conviction of Fraud - Administrative Review Board

AUTHORITY: Implementing Article XI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 11-1 et seq. and 12-13)

SOURCE: Filed and effective December 31, 1977; peremptory rule at 2 Ill. Reg. 52, p. 449, effective December 13, 1978; amended at 2 Ill. Reg. 52, p. 462, December 23, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 39, effective March 1, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979;

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amended at 3 Ill. Reg. 43, p. 196, effective October 15, 1979; amended at 5 Ill. Reg. 8035, effective July 27, 1981; amended at 5 Ill. Reg. 10775, effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 7 Ill. Reg. 8350, effective July 1, 1983; amended at 8 Ill. Reg. 18910, effective September 26, 1984; amended at 9 Ill. Reg. 327, effective December 31, 1984; amended at 9 Ill. Reg. 3730, effective March 13, 1985; amended at 9 Ill. Reg. 6812, effective April 26, 1985; amended at 9 Ill. Reg. 7162, effective May 1, 1985; amended at 9 Ill. Reg. 13091, effective August 16, 1985; amended at 9 Ill. Reg. 14704, effective September 13, 1985; amended at 9 Ill. Reg. 15912, effective October 4, 1985; amended at 10 Ill. Reg. 3981, effective February 22, 1986; amended at 10 Ill. Reg. 14795, effective August 29, 1986; amended at 10 Ill. Reg. 19088, effective October 24, 1986; Sections 102.100 and 102.110 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 14067, effective August 10, 1987; amended at 11 Ill. Reg. 18239, effective October 30, 1987; amended at 12 Ill. Reg. 3735, effective February 5, 1988; amended at 13 Ill. Reg. 3940, effective March 10, 1989; amended at 14 Ill. Reg. 13279, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 20078, effective December 3, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 7202, effective April 30, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

Section 102.70 Notice to Client

- a) Every applicant for assistance shall be sent or given a written notice of disposition of the application.
- b) Every recipient for assistance shall be sent or given a written notice whenever assistance is reduced or discontinued.
- c) Notices denying, reducing, or discontinuing assistance shall contain the following information:
 - 1) A clear statement of the action being taken.
 - 2) A clear statement of the reason for the action.
 - 3) A reference to the statute, rule, or policy provision under the authority of which the action is taken.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 102.70 Notice to Client (Cont'd.)

- 4) A complete statement of the client's right to appeal (see subsection (d) below and Sections 102.80 thru 102.82).

d) Timely Notice

- 1) All notices concerning local office reduction or discontinuance of assistance shall be "timely" except notices to cases in monthly reporting when the adverse action is due to information received on the monthly report or due to failure to submit a complete monthly report. A "timely" notice they shall be mailed or given at least ten (10) calendar days prior to the date the reduction or discontinuance will occur, and shall inform the client that if the client files an appeal within ten (10) calendar days of the date of the notice, by the date the reduction or discontinuance will occur, his or her assistance will be continued at its previous level, pending the results of the appeal unless the client specifically requests that the assistance benefits not be continued. The notice shall be dated with the date it is mailed or given. (Day one of the ten (10) day period is the day following the date on the notice.) -- The date on a notice is the same date the notice is mailed. Day ten may be no later than the date the reduction or discontinuance will occur.)

- 2) Notices sent concerning reduction or discontinuance of assistance by agency action initiated centrally and notices to cases in monthly reporting when the action is due to information received on the monthly report or due to failure to submit a complete monthly report may be either "timely" or "adequate", as defined by federal regulation. When timely notice is not required and an adequate notice is sent less than ten (10) days before the date of change, the client may receive continued benefits if the appeal is filed within 10 days of the date of notice. (See 89 Ill. Adm. Code 112.302.)

- e) Aid to Families With Dependent Children

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 102.70

Notice to Client (Cont'd.)

- 1) Every recipient who makes a written request for a grant increase or a special authorization shall be sent or given written notice of the disposition of the request within 45 days of the date of the request.
- 2) Every recipient who makes a request for Special Assistance (89 Ill. Adm. Code 116.500), Emergency Assistance (89 Ill. Adm. Code 116.510) or Hardship Assistance (89 Ill. Adm. Code 116.520) shall be sent or given a written notice of the disposition of the request within 545 working days of the date of the request.

- 3) Every recipient who makes a request for Emergency Assistance (89 Ill. Adm. Code 116.510) shall be sent or given written notice of the disposition within one working day of the date of the request.
- 4) Every recipient who makes a request for Hardship Assistance (89 Ill. Adm. Code 116.520) shall be sent or given written notice of the disposition of the request within 45 days of the date of the request.

- f) Approval of General Assistance as a result of cancellation of AFDC or AABD or reduction of AFDC (Applicable Only in City of Chicago)

- 1) A notice of intended cancellation or reduction of benefits is sent to an AFDC or AABD recipient, in the City of Chicago, whose assistance is discontinued or a person deleted from the assistance unit (AFDC only) for one of the following reasons:

- A) AABD
 - no longer blind, disabled.
- B) AFDC
 - i) no longer an eligible child in the home,
 - ii) no longer incapacitated,

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 102.70

Notice to Client (Cont'd.)

- iii) absent parent returned home,
 - iv) no longer an unemployed parent,
 - v) stepparent's liability sufficient to meet need,
 - vi) stepparent failed to verify income, or
 - vii) parent participating in a strike.
- 2) If a recipient from one of the programs listed in subsection (f)(1) applies for General Assistance (GA) within thirty (30) days of the notice of cancellation or reduction of benefits and if that recipient is determined to be eligible for GA such benefits shall be authorized with no gap in assistance (see also 89 Ill. Adm. Code 110.30).

g) Food Stamp households shall be notified

- 1) If there is no change in benefits following submission of a change report form.
- 2) If food stamp benefits are being reduced or discontinued, the following additional information shall be included on the notice:
 - A) the telephone number of the local Public Aid office;
 - B) a statement indicating the household's liability for benefits received while waiting for a fair hearing decision, if the decision is adverse to the household; and
 - C) a statement indicating the general availability of outside individuals or organizations providing free legal representation and the telephone number of those individuals or organizations.
- 3) A notice of approval shall be sent to eligible households by the 30th day following the date of application. If the household is found not eligible to participate, the notice of denial

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 102.70 Notice to Client (Cont'd.)

shall be sent by the 30th day following the date of application.

- 4) If the local office cannot act on an application by the 30th day because the case file is incomplete due to a household's delay, a notice of denial shall be sent on the 30th day. However, the household has an additional thirty days to complete the application. If the delay is caused by the local office, a notice of pending status shall be sent to the household by the 30th day.

(Source: Amended at 15 Ill. Reg. 7202, effective April 30, 1991)

Section 102.81

Continuation of Assistance Pending Appeal

- a) If an appeal is initiated by the date a reduction or discontinuance will occur or within ten (10) calendar days of the date of the adequate timely notice, assistance shall be continued at the level in effect prior to the proposed action, pending the results of the fair hearing process, unless the individual specifically requests that his/her assistance benefits not be continued. If the date the reduction or discontinuance will occur or the 10th calendar day is a Saturday, Sunday or a holiday, the client has until the end of the next work day to file his/her appeal.

- b) If a food stamp household files an appeal as the result of normal expiration of the certification period, or as a result of action taken on the initial or subsequent application, benefits shall not be continued at the previous level.

- c) If a food stamp household timely appeals a suspension from program participation for failure to file a Monthly Report by the date the suspended benefits would have been issued or within ten (10) days from the date of notice of adverse action, whichever is later. (See 89 Ill. Adm. Code 121.91(i)) and the household admits that it did not submit the Monthly Report, the household is not entitled to continuation of benefits.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 102.81 Continuation of Assistance Pending Appeal (Cont'd.)

- d) If an individual appeals the Department's decision to initiate a protective payment plan by the date initiation of the plan will occur ~~within ten (10) calendar days of the date of the timely notice~~, the protective payment plan shall not be initiated pending the results of the fair hearing process.

(Source: Amended at 15 Ill. Reg. 7202, effective April 30, 1991)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Advisory Councils
- 2) Code Citation: 89 Ill. Adm. Code 515
- 3) Section Numbers: 515.400 Adopted Action: New Section
515.500 New Section
- 4) Statutory Authority: Implementing Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3434 et seq.) and Sections 6.23 and 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 6.23 and 8; and the Bureau for the Blind Act. (Ill. Rev. Stat. 1989, ch. 23, par. 3411 et. seq.).
- 5) Effective Date of Rule(s) (Amendments, Repealer): April 26, 1991
- 6) Does this rulemaking contain an automatic repeal date?
 ___ Yes X No
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 23, 1991
- 9) Notice of Proposal Published in Illinois Register:
June 15, 1990, 14 Ill. Reg. 9370
 (issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? yes If answer is "yes," please complete the following:
- A) Statement of Objection: Oct. 26, 1990, 14 Ill. Reg. 17698
 (issue date)
- B) Agency Response: March 22, 1991, 15 Ill. Reg. 4464
 (issue date)
- C) Date Agency Response Submitted for Approval to JCAR: Dec. 18, 1990

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 11) Difference(s) between proposal and final version: In compliance with comments made by the Administrative Code Division the following changes were made:
1. In the authority note, the reference to the edition of the Illinois Revised Statutes was updated to 1989, and reference to P.A. 86-893 was changed to "The Bureau for the Blind Act (Ill. Rev. Stat. 1989, ch. 23, par. 3411 et seq.).".
2. In Section 515.400(c)(3) following the quote, citation to the Act was added. All following statutory quotations have citations added.
- JCAR requested changes are as follows:
1. In Section 515.400(f) and (g), "will" and "may" were changed to "shall".
2. In Section 515.500(g), added "(e.g. changes that have impact on service delivery and staffing patterns)" after "program change".
3. Changed "will" to "shall" in Sections 515.500(h)(1), (h)(2), (h)(3) and "may" to "shall" in 515.500(h)(5) and (h)(6).
4. In Section 515.500(j)(10) added "in accordance with the Rehabilitation Act of 1973 as amended" after "update".
5. Added "et seq." after 3434 in the authority note.
6. Updated all references to the Illinois Revised Statutes to the 1989 edition.
7. Added the following new subsections:
 515.400(j)(1), 515.400(j)(2) and 515.500(e)(4).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 14) Are there any amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

- 15) Summary and Purpose of Rule(s): These sections promulgate rules for the Independent Living Advisory Council and the Blind Services Planning Council.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

The full text of Adopted Amendment(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 515
ADVISORY COUNCILS

SUBPART A: REHABILITATION SERVICE ADVISORY COUNCIL

Section
515.100

Rehabilitation Services Advisory Council

SUBPART B: CONSUMER ADVISORY COUNCILS

Section
515.200

Consumer Advisory Councils

SUBPART C: FACILITY ADVISORY COUNCILS

Section
515.300

Facility Advisory Councils

SUBPART D: INDEPENDENT LIVING ADVISORY COUNCIL

Section
515.400

Independent Living Advisory Council

SUBPART E: BLIND SERVICES PLANNING COUNCIL

Section
515.500

Blind Services Planning Council

AUTHORITY: Implementing Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3434 et seq.) and Sections 6-23 & 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 6-23 and 8); and The Bureau for the Blind Act (Ill. Rev. Stat. 1989, ch. 23, par. 3411 et seq.).

SOURCE: Adopted and codified at 7 Ill. Reg. 8127, effective June 24, 1985; amended at 8 Ill. Reg. 1975, effective February 1, 1984; amended at 12 Ill. Reg. 17942, effective October 24, 1988; amended at 15 Ill. Reg. 7211, effective April 26, 1991.

NOTE: Capitalization denotes statutory language.

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SUBPART D: INDEPENDENT LIVING ADVISORY COUNCIL

Section 515.400 Independent Living Advisory Council

- a) THE DIRECTOR SHALL APPOINT AN INDEPENDENT LIVING ADVISORY COUNCIL CONSISTING OF 18 MEMBERS TO PROVIDE GUIDANCE FOR THE DEVELOPMENT AND EXPANSION OF INDEPENDENT LIVING PROGRAMS AND CONCEPTS ON A STATEWIDE BASIS.

- b) The Council shall prepare and submit to the Department of Rehabilitation Services (DORS) a 5-year plan addressing the long term goals and recommendations for the need for independent living services and programs within the State.

c) MEMBERSHIP

- 1) THE COUNCIL SHALL BE COMPOSED OF REPRESENTATIVES OF STATE AGENCIES, LOCAL AGENCIES AND NON-GOVERNMENTAL AGENCIES AND GROUPS CONCERNED WITH SERVICES TO DISABLED PERSONS; DISABLED PERSONS AND PARENTS OR GUARDIANS OF DISABLED PERSONS; DIRECTORS OF CENTERS FOR INDEPENDENT LIVING; REPRESENTATIVES OF PRIVATE BUSINESS; AND REPRESENTATIVES OF OTHER APPROPRIATE ORGANIZATIONS.

- 2) A MAJORITY OF THE MEMBERSHIP OF THE COUNCIL SHALL BE PERSONS WITH ONE OR MORE DISABILITIES.

- 3) THE CHAIRPERSON OF THE COUNCIL SHALL BE SELECTED FROM and by THE MEMBERSHIP AND SHALL ALSO SERVE AS A MEMBER OF DORS ADVISORY COUNCIL. (Section 12a of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3443a)).

- d) TRAVEL EXPENSES INCURRED BY MEMBERS OF THE COUNCIL IN THE PERFORMANCE OF THEIR DUTIES SHALL BE REIMBURSED in accordance with state travel regulations (80 Ill. Adm. Code 2800), FROM MONIES MADE AVAILABLE TO DORS UNDER PART A OF TITLE VII OF THE FEDERAL REHABILITATION ACT OF 1973 (29 U.S.C. 796).

- e) A schedule of all meetings shall be developed so that public notice of the dates, times and locations of the

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regularly scheduled meetings will be posted at the beginning of the calendar year at DORS' administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago. Copies of the public notice will also be provided to news media upon written or oral request.

- f) Public notice of the date, time, location and agenda of each special meeting shall be posted at DORS' administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago at least 24 hours in advance of the meeting and in accordance with Sections 2.02 and 2.03 of the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, pars. 42.02 and 42.03).

- g) Meetings shall be open to the public; except that meetings or portions of meetings shall, upon a majority vote of a quorum present, be declared closed, in accordance with Sections 2 and 2a of the Open Meetings Act.

- h) All meetings of the council shall be physically and communicatively accessible to all persons with disabilities.

- i) The proceedings of meetings may be recorded in accordance with Section 2.05 of the Open Meetings Act, which allows any person to record a meeting required to be open unless a witness testifying before the Council refuses to testify on the basis his or her testimony will be broadcast, televised or motion pictures will be taken during testimony. If such occurs, recording shall be prohibited.

j) Vote abstentions

- 1) Council members shall abstain from any financial vote if the matter concerns a program where the council member is involved.

- 2) Council members shall abstain from voting many matters they feel may be a conflict of interest.

Source: Added at 15 Ill. Reg. 7211, effective April 26, 1991

SUBPART E: BLIND SERVICES PLANNING COUNCIL

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Section 515.500 Blind Services Planning Council

a) The Blind Services Planning Council (BSPC) SHALL REVIEW THE ACTIONS OF THE BUREAU OF BLIND SERVICES AND PROVIDE ADVICE AND CONSULTATION TO THE DORS DIRECTOR ON SERVICES TO persons who are blind (Section 7 of The Bureau for the Blind Act, (Ill. Rev. Stat. 1989, ch.23, par. 3411 et seq.)).

b) The BSPC shall be composed of 11 members appointed by the Governor.

- 1) NO FEWER THAN 6 MEMBERS SHALL BE BLIND.
- 2) A RELATIVE BALANCE BETWEEN THE NUMBER OF MALES AND FEMALES SHALL BE MAINTAINED.
- 3) Two members shall be from each of the major statewide consumer organizations of the blind.
- 4) One member shall be FROM A SPECIFIC SERVICE AREA (e.g., Chicago Lighthouse employee, Vending Facility operator, employers of blind individuals).

5) A DORS employee cannot be a member.

c) Members shall be reimbursed for actual expenses (e.g., travel for meetings in accordance with state travel regulations (80 Ill. Adm. Code 2800)), postage or telephone bills for BSPC business) incurred in the performance of their duties.

d) MEMBERS SHALL BE REMOVED FOR CAUSE INCLUDING DEMONSTRATED INCOMPETENCE, UNETHICAL BEHAVIOR AND UNWILLINGNESS OR INABILITY TO SERVE.

e) Terms of Membership

1) Members serving on the BSPC on the effective date of this Subpart shall continue to serve until their terms expire. New members appointed shall serve terms as set out in subsection (e)(2) of this Section.

2) Initially four members shall serve for one year; four members shall serve for two years; and three

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members shall serve for three years. All subsequent terms shall be for three years.

3) No member shall serve more than 2 consecutive terms.

4) The membership year for the BSPC shall be the same as the calendar year.

f) DORS shall provide support services (meeting space, clerical service, record storage, supplies, postage) as requested by BSPC, and access to reports, records and information unless prohibited by 89 Ill. Adm. Code 505.

g) DORS shall ensure the BSPC has the opportunity to review the Bureau of Blind Services' budget prior to its submission to the Bureau of the Budget and any major policy or program change (e.g., changes that have impact on service delivery and staffing patterns) prior to its implementation.

h) Meetings

1) The BSPC shall meet at least four times per year at times and places designated by the Chair. The dates and locations of the meetings shall be published and posted at the DORS' administrative offices at 623 East Adams, Springfield and 100 West Randolph, Chicago in advance of the meeting in accordance with Sections 2.02 and 2.03 of the Open Meetings Act.

2) The last regular meeting of the year shall be the annual meeting, conducted in the same way as any regular meeting except that officers shall be elected and any other items of business that the bylaws prescribe for the annual meeting shall be transacted. New officers assume their duties at the conclusion of the meeting at which they are elected.

3) Special meetings shall be called by the Chair or at the written request of any five members of the BSPC, provided a written notice stating the purpose of such meeting is given to members at least ten days prior to the meeting.

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- 4) Notice, agenda and minutes for all meetings shall be sent to each member of the BSPC at least 15 days prior to the date of the meeting.
- 5) Meetings shall be open to the public, except that meetings or portions of meetings shall, upon a majority vote of a quorum present, be declared closed in accordance with Sections 2 and 2a of the Open Meetings Act.
- 6) Any meeting of the BSPC shall be cancelled with approval of a majority of the voting BSPC members.
- 7) All meetings shall be physically and communicatively accessible to all persons with disabilities.
- i) Documents of the BSPC shall be maintained at DORS' administrative offices at 623 East Adams in Springfield for public inspection. DORS shall provide copies of the documents upon request in accordance with the Freedom of Information Act (Ill. Rev. Stat. 1989, ch. 116, par. 201 et seq.) and Access to Public Records (2 Ill. Adm. Code 1176).
- j) Functions of the BSPC shall include, but not be limited to:
 - 1) facilitating communication and cooperative efforts with blind consumer groups and blind citizens of Illinois;
 - 2) facilitating communication and cooperative efforts between DORS and all agencies or other service providers which deliver services to blind and visually impaired persons;
 - 3) identifying needs of and problems related to blind and visually impaired persons and making recommendations to the Director and Bureau of Blind Services Deputy Director of DORS, and to the Governor;
 - 4) recommending programmatic and fiscal priorities for the provision of services and awarding of grants or contracts by DORS;

- 5) conducting, encouraging, and advising independent research by qualified evaluators to improve services to blind and visually impaired persons;
- 6) participating in the development and review of proposed DORS rules and regulations relating to services for blind and visually impaired persons;
- 7) reviewing and commenting on budgets relating to services for blind and visually impaired persons;
- 8) promoting policies and programs to educate the public and eliciting public support for services to blind and visually impaired persons;
- 9) encouraging creative and innovative programs to strengthen, expand and improve services for blind and visually impaired persons; and
- 10) participating in the development of a state plan for blind services and any revision or update in accordance with the Rehabilitation Act of 1973 as amended.

(Source: Added at 15 Ill. Reg. 7211, effective April 26, 1991.)

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1) Heading of the Part: Centers for Independent Living

2) Code Citation: 89 Ill. Adm. Code 885

3) Section Numbers: Adopted Action:

885.10	New Section
885.30	New Section
885.100	New Section
885.110	New Section
885.200	New Section
885.210	New Section
885.300	New Section
885.310	New Section
885.APP.A	New Section
885.APP.B	New Section
885.APP.C	New Section
885.APP.D	New Section
885.APP.E	New Section
885.APP.F	New Section

4) Statutory Authority: Section 12a of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23 par. 3443a) and 29 U.S.C. 711 and 796 (34 CFR Parts 365, 366 and 367 (1989)).

5) Effective Date of Rule(s) (Amendments, Repealer): April 30, 1991

6) Does this rulemaking contain an automatic repeal date?
 Yes ☐ No ☒

7) Does this rule (amendment, repealer) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 25, 1991

9) Notice of Proposal Published in Illinois Register:

May 4, 1990, 14 Ill. Reg. 6666
 (issue date)

10) Has JCARE Issued a Statement of Objections to this (these) Rule(s)? No. If answer is "yes," please complete the following:

A) Statement of Objection: (issue date), Ill. Reg. _____

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B) Agency Response: (issue date), Ill. Reg. _____

C) Date Agency Response Submitted for Approval to JCARE:

11) Difference(s) between proposal and final version:

DORS agreed with JCARE to the following changes:

1. To modify its Authority for the Part to include a citation to the federal statutes and regulations which provide funds for the Centers for Independent Living to state:

AUTHORITY: Implementing and authorized by Section 12a of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3443a) and 29 U.S.C. 711 and 796 (34 CFR Parts 365, 366 and 367 (1989)).

2. To amend the citation in Section 885.10, under the definition of "Consumer Controlled" to state in part: "....Section 12a of the Act".

3. To remove "severe" from modifying "disabilities" in Sections 885.100(a)(1), (a)(3), (a)(4), (b)(1), (b)(2), (d)(1), (e)(2), (e)(3) and (f); 885.110(a)(5)(c), (c)(2)(A), (c)(2)(C)(iii), (e)(2)(A); (e)(2)(F), and (e)(2)(G), and to delete the definition of "Severe Disability" in Section 885.10 for replacement with: "Person with disability" means an individual whose ability to function independently in family or community, or whose ability to function independently in family or community, or whose ability to engage or continue in employment is so limited by the severity of his or her physical or mental disability that it has been determined that independent living rehabilitation services are required in order to enable achieving a greater level of independence in functioning in family or community or engaging or continuing in employment (34 CFR 365.1, Individual with severe handicaps (July 1, 1990)).

4. To include an Appendix A to the Part entitled "CIL Establishment Grant Application Peer Reviewer Rating Forms" and modify the second sentence in Section 885.30(a) to state:

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The peer group, composed of 9 non-DORS employees with experience in the independent living field, will make recommendations based upon the total score each grant proposal receives (see Appendix A) to the Director, who shall make the final grant decision.

5. To modify Section 885.30 to include a new subsection (d), (e) and (f) to state:

d) The application for this grant must:

- 1) contain assurances that the CIL shall promote and practice the following independent living philosophy in programming:

- A) consumer control of policy direction and management of the CIL;
- B) consumer control of the development of independent living service objectives and services;
- C) self-help and self-advocacy;
- D) equal access to society by persons with disabilities;
- E) equal access to programs and physical facilities;
- F) development of peer relationships and peer role models;
- G) meeting the specific independent living needs of the local community; and
- H) a range of services to all persons with disabilities.

- 2) state that qualified people with disabilities shall be substantially involved in the policy direction, decision-making, service delivery and management of the CIL, and given preference as:

- A) members of Boards of Directors (at least 51% of the membership shall be qualified people with disabilities);
- B) managers and supervisors;
- C) staff; and
- D) volunteers.

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- 3) contain assurances that the center will provide the following services to the extent possible:

- A) individual advocacy;
- B) independent living skills training;
- C) peer counseling; and
- D) information referral.

- 4) discuss other consumer services the center will provide, as appropriate, including:

- A) legal services;
- B) other counseling services (e.g., non-peer, group, family);
- C) housing services;
- D) equipment services;
- E) transportation services;
- F) social and recreational services;
- G) educational services;
- H) vocational services, including supported employment;
- I) reader, interpreter; and other communication services;
- J) attendant and homemaker services; and
- K) electronic services.

- 5) contain assurances that the center shall conduct activities to increase community capacity to meet needs of persons with disabilities including:

- A) systematic advocacy and technical assistance services to improve community options, remove community barriers, and create access to public programs;
- B) public information and education (e.g., presentations, press);
- C) outreach to consumers and service providers; and
- D) initiatives to establish an active role for the disabled community.

- e) Preparation of a complete application must include:

- 1) The application cover sheet and budget summary.

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- 2) Program narrative (must conform to following outline).
- A) Statement of purpose and relationship to DORS objectives. In one or two paragraphs, summarize the overall general purpose of the proposed project and how its mission relates to DORS objectives for this "Request for Proposal".
 - B) Developmental and organizational activities and accomplishments. In this section discuss each of the seven main areas listed under Selection Criteria, Part I.
 - C) Program Plan - discuss each of the seven main areas listed under Selection Criteria, Part II.
 - D) Goals/Objectives/Activities.
 - i) List the project's goals and how the purpose of the program is to be carried out.
 - ii) List the project's objectives in specific and measurable terms. Specify in detail what the objectives are for the project period. Objectives are considered measurable if they specify either number (for example, "200 clients to be evaluated in the first year") or completion dates (for example, "test battery to be planned and in use within 60 days" or "all potential employees to be interviewed and on staff, within the first 2 months of the project").

NOTE: The goals, objectives and activities as listed in the approved grant will be the primary basis for project monitoring and evaluation. Be as concise as possible. For new projects, there should be an objective covering program establishment.

- iii) List for each objective the specific activities, including

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- completion dates, planned to carry out the objective. Activities should clearly state how the service or project is to be performed. Also estimate the amount of time, by individual employee, needed to accomplish each task.
- iv) Give a brief narrative summarizing, to the extent possible, the future directions of the project.
- 3) Budget detail and justification (use appropriate sheets as needed).
 - A) Personal Services Detail Sheet.
 - B) Fringe Benefit Detail Sheet.
 - C) Equipment Detail Sheet.
 - D) Travel Detail Sheet.
 - E) Commodities Detail Sheet.
 - F) Contractual Services Detail Sheet.
 - G) Other Expenses Detail Sheet.

Following each completed Budget Detail Sheet there must be a page(s) of budget justification. Any remodeling must be reported on Contractual Services Detail Sheet. Failure to include a separate justification sheet for each budget detail sheet will delay consideration and processing of a grant application.

4) Attachments.

- A) Other Assurances - See Appendix C.
- B) IRS Certification - See Appendix D.
- C) Additional Assurances I through XVII - See Appendix E.
- D) Copy of applicant agency's most recent Certified Audit (if applicable).
- E) A copy of the organization's not-for-profit corporation status under the Illinois General Not-For-Profit Corporation Act of 1989. (Ill. Rev. Stat. 1989, ch. 32, pars. 101.01 et seq.).
- F) Organizational Chart.

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- G) Position descriptions and justification for each staff person projected to be hired (place behind personnel budget page).
- H) Support Letters.
- f) Notification of Grant Award.
- 1) The applicants will be notified in writing as to the status of their applications.
 - 2) Any necessary negotiations and/or refinements will be made.
 - 3) If a grant is considered for funding, DORS will send a copy of a completed contract to the applicant for signature. Before signing the contract, the applicants should clarify any questions they might have.
 - 4) If an application is approved, the grantee will be sent the following:
 - A) Approval Letter signed by the Director of DORS;
 - B) Conditions and details of grant award. (This will include the dates of the project period, dates within which purchase orders for equipment must be issued and/or staff hired, reference to Chattel Mortgage filing if appropriate, the date on which the final Request for Release of Funds must be in the DORS Central Office, and the name of the DORS CIL Liaison assigned to the grant, and any other special conditions if appropriate);
 - C) A copy of the contract signed by the Director of DORS; and
 - D) A copy of the grant application package as approved.
 - 5) No purchase orders may be issued for funds obligated prior to the approval of the grant.
6. To modify Section 885.100(a)(4) to state in part: "of majority (51%) involvement of persons with disabilities..."

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7. To modify Section 885.110 to restate (a)(1), delete (a)(2), and renumber (a)(2)(A) - (a)(2)(E) to (a)(1-5), and (a)(2)(E) (i-iv) to (a)(5)(A-D).
8. To rewrite Section 885.110(a) to read: "Each proposal shall contain a plan of operation which describes:"
9. To amend Section 885.110 (c)(1) to state: "Each proposal shall include information which shows the qualifications of the board members and staff members the applicant plans to use on the project."
10. To provide a cross-reference in Section 885.110(c)(2)(A) to the Standard #8 which states: "a commitment to hiring qualified people with disabilities (see Section 885.300(f)(2)(F));"
11. To delete "that are appropriate" from Section 885.110(e)(1).
12. To modify Section 885.110(f) to include a last sentence which states: "For example, staff and fringe benefit costs are budgeted, as well as rent and security deposit for the duration of the contract period, telephone installation, long distance and local service and equipment to be utilized in the office which will include desks, chairs, file cabinets, computer systems, tables, and other nonconsumable equipment."
13. To include IL 488-1998 as Appendix B to the Part, as the form contains twelve standards, a document check list, and interview questions for board members, administrative staff members, services staff members, consumers, volunteers, and agency representatives. As Appendix B application materials include information which Appendix F - Application Materials also reference, the Department agreed to include these requirements as new Appendices C, Other Assurances (IL 488-2033), D, Internal Revenue Certification (IL 488-2035), and E, Additional Assurances I through XVII to this Part.
14. To amend old Section 885.200, new Section 885.300(f) to read:
 - (1) All existing CILs which have been in operation for 12 months or less from the date

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of their initial contract with DORS commenced will receive a Tertiary Compliance Review. This review will include the following three Standards in Appendix B:

- A) Standard #1 "The Center shall promote and practice Independent Living Philosophy in its programming";
- B) Standard #5 "The Center shall provide services to disabled individuals within the Center's target population and/or their families"; and
- C) Standard #6 "The Center shall provide information and referral to all inquirers including those from outside the Center's target population."

(2) All existing CILs which have been in operation for 24 months or less from the date their initial contract with DORS commenced will receive a Secondary Compliance Review. This review will include the following six Standards in Appendix B:

- A) Standard #1 "The Center shall promote and practice Independent Living Philosophy in its programming";
- B) Standard #2 "The Center shall have a clearly defined target population that includes a range of disabilities";
- C) Standard #5 "The Center shall provide services to disabled individuals within the Centers target population and/or their families";
- D) Standard #6 "The Center shall provide information and referral to all inquirers including those from outside the Center's target population";
- E) Standard #7 "The Center shall conduct activities to increase community to meet the needs of individuals with disabilities"; and
- F) Standard #8 "Qualified disabled individuals shall be substantially involved in the policy direction, decision making, service delivery and management of the Center".

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(3) All existing CILs which have been in operation for 36 months or longer from the date their initial contract with DORS commenced, will receive a Primary Compliance Review. The review will include all twelve (12) of the Standards in Appendix B.

(4) A lottery will establish the order in which CILs are reviewed for the first and subsequent years' review.s.

(5) When a CIL has been in operation for 36 months or longer, from the date their initial contract with DORS commenced, and they have received a Primary Compliance Review, subsequent reviews will be in accordance with subsection (a)(6) of this Section and subsection (k)(1) of this Section.

15. To amend old Section 884.200(e)(1), (2) and (3), new Section 885.300(e)(1), (2) and (3), to state:

- 1) Primary Compliance Review - all of the twelve (12) standards on the Compliance Review Rating Sheet (IL 488-1998) will be applied to the CIL (see subsection (f)(3) below).
- 2) Secondary Compliance Review - standards (see subsection (f)(2) below).
- 3) Tertiary Compliance Review - standards (see subsection (f)(1) below).

16. To modify old Section 885.200(g), new Section 885.300(g) to state:

The DORS Division of Independent Living reserves the right to schedule a review under subsection (f)(1) at any time while the CIL is receiving funding through DORS. A review may be scheduled when situations, including, but not limited to the following, occur (e.g., evidence of abuse of consumer confidentiality as reported by a consumer of services of the CIL; evidence that IRS Form 990 had not been filed with the federal Internal Revenue Service; or evidence that registration papers were not filed with the Secretary of

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State's office as required each calendar year). Every effort will be made to ensure that dates and times set for such reviews are acceptable to the CIL being reviewed.

17. To include a new Subpart C: Continuation Grant Application Criteria to the Part to state:

SUBPART C: CONTINUATION GRANT APPLICATION CRITERIA

Section 885.200 General Instructions

- a) Separate contracts will be established for the funding sources of Title VII-Part A funds and General Revenue Match funds, and for General Revenue funds.
- b) To simplify processing please round cents to the nearest whole dollars.
- c) The original and three copies of the application must be disbursed to:
 - 1) Department of Rehabilitation Services, Division of Independent Living, 623 East Adams St., P.O. Box 19429, Springfield, Illinois 62794-9429 (original);
 - 2) CIL/DORS Liaison (copy);
 - 3) DORS Regional Administrator (copy); and
 - 4) CIL (copy).

- d) Applications are due in DORS' Division of Independent Living by April 1st of each calendar year.

Section 885.210 - Program Plan

The program plan must contain:

- a) Cover Page
- b) Table of Contents
- c) Program Narrative - this narrative must not exceed five double spaced typewritten pages. Briefly describe the program, plan of operation, who is served, expected outcomes and benefits to consumers served, geographic

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- d) scope of the project and the expected community impact.
Goals, Objectives and Activities - a goal must be included with objectives and activities for each of the following areas:

- 1) community impact (systems advocacy);
- 2) long-range planning;
- 3) services to individuals (must include the four mandated services and all others provided by the CIL);
- 4) development and fundraising activities - must include a projected total dollar amount to be raised; and
- 5) financial and compliance audit recommendations.

- e) Goals, objectives and activities must be written in measurable terms. This section represents the CIL's plan for the next 12 months and thus should be listed in priority order and formatted as follows:

Goal

XXXXXXXXXXXXXXXXXXXX

Objective

XXXXXXXXXXXXXXXXXXXX

Activity

XXXXXXXXXXXXXXXXXXXX

Status Report

Under each activity leave a space for the status report on that activity. This will reduce the time in preparing the annual goals and objectives report.

- f) Funding available for each CIL will be determined in part by the CIL's rating in the Annual Compliance Review (See subsections 885.300 (k), (l), (m) and (n)).

- g) As an attachment to the continuation grant application, each CIL applying for continuation funding must submit all assurances, signed and dated, referenced in Appendices C, D and E.

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To also include a new Appendix F entitled "CIL Continuation Grant Application (IL 488-1769)" which contains the Department's requirements for receipt of CIL continued grant funds.

18. To move the information "(Section 12a of the Act)" from the first part of the definition of "CIL" in Section 885.10 to a parenthetical at the end stating "(Section 12a of 'AN ACT in relation to rehabilitation of persons with one or more disabilities' (Ill. Rev. Stat. 1989, ch. 23, par. 3443a (the Act)))" and replace the citation in "Consumer Controlled" with "...as defined by Section 12a of the Act".

19. To modify the Section 885.30 title in the text to state: "Eligibility for CIL Establishment Grants".

20. To list "... program (e.g., ... providers)." in Section 885.100(c)(3).

21. To include hyphens after "short- and long-range..." in Section 885.100(g), after "12-" in old section 885.200(n)(1) and (p), new Section 885.300(m)(1) and (n), after "6-" in old Section 885.200(l)(1), new Section 885.300(l)(1).

22. To include a comma after "e.g., in Sections 885.110(b)(2)(C)(ii) and (b)(2)(D)(ii).

23. To include a period after "effectiveness" in Section 885.110(d).

24. To split old Section 885.200(l)(6), new Section 885.300(l)(96), into two subsections to state:

- 6) not be eligible to receive any additional funds from DORS until such time as the CIL receives a Full Compliance rating; and
- 7) will receive, at a minimum, a Secondary Compliance Review during the next 3 years following the period in which the Partial Compliance rating was in effect.

25. To move the old Section 885.200(m) to new Section 885.300 (1)(8), renumbering old Section 885.200(n) to new Section 885.300(m), renumbering old Section

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885.200(o) to new Section 885.300(m)(7), and renumber old Section 885.200(p) to new Section 885.300(n).

26. To modify old Section 885.210(a)(3), new Section 885.310(a)(3), to include a comma after "the meeting" in the last sentence.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rule replace an Emergency Rule(s) currently in effect? No

- 14) Are there any amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

- 15) Summary and Purpose of Rule(s): This Part promulgates rules for the establishment and administration of the Centers for Independent Living.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed

Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429

Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896

T.D.D.: (217) 782-5734

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER h: MISCELLANEOUS PROGRAMS

PART 885

CENTERS FOR INDEPENDENT LIVING

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AUTHORITY: Implementing and authorized by Section 12a of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3443a), and 29 U.S.C. 711 and 796 (34 CFR Parts 365, 366, and 367 (1989)).

SOURCE: Adopted at 15 Ill. Reg. 7221, effective April 30, 1991.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL PROVISIONS

Section 885.10 Definitions

"Advocacy" means efforts to remove systemic and individual barriers to independent living.

"CIL" means CENTERS FOR INDEPENDENT LIVING, which are CONSUMER CONTROLLED, COMMUNITY BASED, NON-RESIDENTIAL, NOT-FOR-PROFIT CORPORATIONS PROVIDING SERVICES TO DISABLED PERSONS, WHICH SERVICES MAXIMIZE THOSE PERSONS' INDEPENDENCE in AND INTEGRATION into THEIR COMMUNITY (Section 12a of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3443a (the Act))).

"Consumer" means a user or potential user of the CIL's services.

"CONSUMER CONTROLLED" MEANS THAT AT LEAST 51% OF THE DIRECTORS OF THE CIL CORPORATION ARE DISABLED as defined by Section 12a of the Act.

"Person with disability" means an individual whose ability to function independently in family or community, or whose ability to engage or continue in employment is so limited by the severity of his or her physical or mental disability that it has been determined that independent living rehabilitation services are required in order to enable achieving a greater level of independence in functioning in family or community or engaging or continuing in employment (34 CFR 365.1 Individual with severe handicaps, (July 1, 1990)).

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Section 885.30 Eligibility for CIL Establishment Grants

- a) Applicants for establishment grants from the Department of Rehabilitation Services (DORS) will be subject to a peer group review using the selection criteria in Subpart B of this Part. The peer group, composed of 9 non-DORS employees with experience in the independent living field, will make recommendations based upon the total score each grant proposal receives (see Appendix A), to the Director, who shall make the final grant decision.
- b) Grant priorities shall be established with consideration of the recommendations of the Independent Living Advisory Council's Five Year State Plan for Independent Living. Priority shall also be given to the establishment of CILs in geographic areas which have underserved populations. The provision of these grants is subject to the availability of funds.
- c) The recipient or applicant of a CIL establishment grant must be an Illinois incorporated non-profit, non-residential organization which is consumer controlled.
- d) The application for this grant must:
 - 1) contain assurances that the CIL shall promote and practice the following independent living philosophy in programming:
 - A) consumer control of policy direction and management of the CIL;
 - B) consumer control of the development of independent living service objectives and services;
 - C) self-help and self-advocacy;
 - D) equal access to society by persons with disabilities;
 - E) equal access to programs and physical facilities;

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- F) development of peer relationships and peer role models;
 - G) meeting the specific independent living needs of the local community; and
 - H) a range of services to all persons with disabilities.
- 2) state that qualified people with disabilities shall be substantially involved in the policy direction, decision-making, service delivery and management of the CIL, and given preference as:
- A) members of Boards of Directors (at least 51% of the membership shall be qualified people with disabilities);
 - B) managers and supervisors;
 - C) staff; and
 - D) volunteers.
- 3) contain assurances that the center will provide the following services to the extent possible:
- A) individual advocacy;
 - B) independent living skills training;
 - C) peer counseling; and
 - D) information and referral.
- 4) discuss other consumer services the center will provide, as appropriate, including:
- A) legal services;
 - B) other counseling services (e.g., non-peer, group, family);
 - C) housing services;
 - D) equipment services;

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- E) transportation services;
 - F) social and recreational services;
 - G) educational services;
 - H) vocational services, including supported employment;
 - I) reader, interpreter, and other communication services;
 - J) attendant and homemaker services; and
 - K) electronic services.
- 5) contain assurances that the center shall conduct activities to increase community capacity to meet needs of persons with disabilities including:
- A) systemic advocacy and technical assistance services to improve community options, remove community barriers, and create access to public programs;
 - B) public information and education (e.g., presentations, press);
 - C) outreach to consumers and service providers; and
 - D) initiatives to establish an active role for the disabled community.

e) Preparation of a complete application must include:

- 1) The application cover sheet and budget summary.
- 2) Program narrative (must conform to following outline)
- A) Statement of purpose and relationship to DORS objectives. In one or two paragraphs, summarize the overall general purpose of the proposed project and how its mission relates

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to DORS objectives for this "Request for Proposal".

- B) Developmental and organizational activities and accomplishments. In this section discuss each of the seven main areas listed under Selection Criteria, Part I.
- C) Program Plan - discuss each of the seven main areas listed under Selection Criteria, Part II.
- D) Goals/Objectives/Activities.

i) List the project's goals and how the purpose of the program is to be carried out.

ii) List the project's objectives in specific and measurable terms. Specify in detail what the objectives are for the project period. Objectives are considered measurable if they specify either number (for example, "200 clients to be evaluated in the first year") or completion dates (for example, "test battery to be planned and in use within 60 days" or "all potential employees to be interviewed and on staff, within the first 2 months of the project.")

NOTE: The goals, objectives and activities as listed in the approved grant will be the primary basis for project monitoring and evaluation.

Be as concise as possible. For new projects, there should be an objective covering program establishment.

iii) List for each objective the specific activities, including completion dates, planned to carry out the objective.

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Activities should clearly state how the service or project is to be performed. Also estimate the amount of time, by individual employee, needed to accomplish each task.

- iv) Give a brief narrative summarizing, to the extent possible, the future directions of the project.

- 3) Budget detail and justification (use appropriate sheets as needed).

- A) Personal Services Detail Sheet.
- B) Fringe Benefit Detail Sheet.
- C) Equipment Detail Sheet.
- D) Travel Detail Sheet.
- E) Commodities Detail Sheet.
- F) Contractual Services Detail Sheet.
- G) Other Expenses Detail Sheet.

Following each completed Budget Detail Sheet there must be a page(s) of budget justification. Any remodeling must be reported on Contractual Services Detail Sheet. Failure to include a separate justification sheet for each budget detail sheet will delay consideration and processing of a grant application.

- 4) Attachments.

- A) Other Assurances - See Appendix C.
- B) IRS Certification - See Appendix D.
- C) Additional Assurances I through XVII - See Appendix E.
- D) Copy of applicant agency's most recent Certified Audit (if applicable).

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- E) A copy of the organization's not-for-profit corporation status under the Illinois General Not-For-Profit Corporation Act of 1989. (Ill. Rev. Stat. 1989, ch. 32, pars. 101.01 et seq.).

- F) Organizational Chart.

- G) Position descriptions and justification for each staff person projected to be hired (place behind personnel budget page).

- H) Support Letters.

- f) Notification of Grant Award.

- 1) The applicants will be notified in writing as to the status of their applications.

- 2) Any necessary negotiations and/or refinements will be made.

- 3) If a grant is considered for funding, DORS will send a copy of a completed contract to the applicant for signature. Before signing the contract, the applicant should clarify any questions they might have.

- 4) If an application is approved, the grantee will be sent the following:

- A) Approval letter signed by the Director of DORS;

- B) Conditions and details of grant award. (This will include the dates of the project period, dates within which purchase orders for equipment must be issued and/or staff hired, reference to Chattel Mortgage filing if appropriate, the date on which the final Request for Release of Funds must be in the DORS Central Office, and the name of the DORS CIL Liaison assigned to the grant, and any other special conditions if appropriate);

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- C) A copy of the contract signed by the Director of DORS; and
- D) A copy of the grant application package as approved.
- 5) No purchase orders may be issued or funds obligated prior to the approval of the grant.

SUBPART B: CIL ESTABLISHMENT GRANT
SELECTION CRITERIA

Section 885.100

Developmental and Organizational
Activities and Accomplishments

- a) Each grant proposal must contain evidence:

- 1) of broad-based support of people with disabilities and consumer groups;
- 2) that efforts have been made to involve people with a variety of disability types in organizing the CIL initiative;
- 3) that the group or board which is developing the CIL proposal is composed of at least a majority of people with disabilities; and
- 4) of majority (51%) involvement of persons with disabilities in the planning and development of the CIL.

- b) The grant proposal shall show knowledge of community resources and needs by containing information:

- 1) demonstrating the applicant's knowledge of existing community resources and services already being provided to people with disabilities; and
- 2) which shows an understanding of what services and resources are needed in the community to facilitate independent living of persons who have disabilities.

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- c) The grant proposal shall demonstrate the applicant is involved and supported by the community by documenting:

- 1) efforts to provide information to and gain the support of the city council, county board or other local government entities;
- 2) efforts to gain the support and cooperation of other community agencies, organizations, and the business community; and
- 3) efforts to gain the support and/or direct involvement of key community leaders and/or people with expertise or skills necessary for the efficient operation of the program (e.g., lawyers, accountants, bankers, business people, service providers).

- d) The grant proposal shall contain letters of support from:

- 1) people with disabilities;
- 2) consumer groups;
- 3) government agencies (e.g., town councils, county boards);
- 4) service agencies;
- 5) key individuals (e.g., state and federal legislators); and
- 6) business owners and employers.

- e) The grant proposal shall contain information about the applicant's (or individual group member's) achievements and describe:

- 1) the type and extent of involvement in advocacy efforts;
- 2) the extent of involvement in various community activities relating to people with disabilities;

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- 3) the extent of participation in the identification and resolution of issues affecting people with disabilities; and
- 4) the extent to which direct services have been provided.
- f) Each proposal shall contain established program priorities, based on the applicant's knowledge of services and resources needed for independent living by people with disabilities in their respective communities.
- g) Each proposal shall contain the proposed CIL's short- and long-range geographic scope.

Section 885.110 Program Plan

- a) Each proposal shall contain a plan of operation which describes:
 - 1) the design of the project;
 - 2) a plan of management that insures proper and efficient administration of the project;
 - 3) a description of how the objectives of the project relate to the purpose of the program;
 - 4) the way the applicant plans to use its resources and personnel to achieve each objective; and
 - 5) a description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as:
 - A) members of racial or ethnic minority groups;
 - B) women;
 - C) persons with disabilities; and
 - D) the elderly.
- b) Service comprehensiveness.
 - b) the elderly.

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- 1) Each proposal shall contain information on the scope of services.
- 2) The proposal shall include evidence that:
 - A) individual services and service objectives will be consumer controlled;
 - B) demonstrates that the CIL will utilize, and therefore not duplicate, services which are presently being provided in the community and meet existing needs;
 - C) the CIL will provide the following consumer directed services:
 - i) peer counseling (formalized program);
 - ii) independent living skills training (e.g., health care, financial management, etc.);
 - iii) advocacy; and
 - iv) information and referral.
 - D) efforts will be made to provide as many as possible of the following consumer directed services. Services to be provided should be listed and discussed.
 - i) legal services;
 - ii) other counseling services (e.g., non-peer, group, family);
 - iii) housing services;
 - iv) equipment services;
 - v) transportation services;
 - vi) social and recreational services;
 - vii) educational services;

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- viii) vocational services, including supported employment;
- ix) reader, interpreter, and other communication services;
- x) attendant and homemaker services; and
- xi) electronic services.

E) the project will provide services to individuals with a broad range of disabilities including persons with mental retardation, mental illness, or sensory impairments; and

F) the project will implement a timely and equitable appeal process which will be available to the CIL's consumers to resolve grievances.

c) Key personnel.

1) Each proposal shall include information which shows the qualifications of the board members and staff members the applicant plans to use on the project.

2) The proposal shall contain information which shows:

- A) a commitment to hiring qualified people with disabilities (see Section 885.300(f)(2)(F));
- B) the time that each person referred to in this subsection will commit to the project; and
- C) the extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as:

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- i) members of racial or ethnic minority groups;
- ii) women;
- iii) persons with disabilities; and
- iv) the elderly.

d) Budget and cost effectiveness.

1) Each application will be reviewed for information showing that the project has an adequate budget and is cost effective.

2) Each proposal shall contain information which shows:

- A) the budget for the project is adequate to support the project activities; and
- B) costs are reasonable in relation to the objectives of the project.

e) Evaluation plan.

The proposal must contain:

- 1) information showing methods of evaluation for the project and, to the extent possible, are objective and produce data that are quantifiable;
- 2) an evaluation plan which, at the end of each funding cycle, shall reflect at a minimum the following:
 - A) the numbers and types of people with disabilities assisted;
 - B) the extent to which individuals with varying disabling conditions were served;
 - C) the types of services provided;
 - D) the sources of funding;

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- E) the percentage of resources committed to each type of service provided;
 - F) how services provided contributed to the maintenance or the increased independence of individuals with disabilities;
 - G) the extent to which persons with disabilities participate in management and decision-making in the center;
 - H) the extent of capacity building activities including collaboration with other agencies and organizations;
 - I) the extent of catalytic activities to promote community awareness, involvement, and assistance;
 - J) the extent of outreach efforts and the impact of such efforts; and
 - K) a comparison, when appropriate, of prior year(s) activities with most recent year activities.
- f) Adequacy of resources.

The proposal must contain information which shows the equipment and supplies that the applicant plans to use are adequate. For example, staff and fringe benefit costs are budgeted, as well as rent and security deposit for the duration of the contract period, telephone installation, long distance and local service and equipment to be utilized in the office which will include desks, chairs, file cabinets, computer systems, tables and other non-consumable equipment.

- g) Physical and Programmatic Accessibility.

The proposed application must provide written assurances that the following Non-Discrimination Compliance Requirements will be adhered to: Section 504 of the Rehabilitation Act as amended, (29 U.S.C. 794), Nondiscrimination on the Basis of Handicap in

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Programs and Activities Receiving or Benefiting from Federal Financial Assistance, (34 CFR 104), the Illinois Human Rights Act, (Ill. Rev. Stat. 1989, ch. 68, pars. 1-101 et seq.), the Illinois Accessibility Code (71 Ill. Adm. Code 400). These statutes and rules require subrecipients to be accessible in terms of employment practices, programs and physical structure.

SUBPART C: CONTINUATION GRANT APPLICATION CRITERIA

Section 885.200 General Instructions

- a) Separate contracts will be established for the funding sources of Title VII-Part A funds and General Revenue Match funds, and for General Revenue funds.

- b) To simplify processing, please round cents to the nearest whole dollar.

- c) The original and three copies of the application must be disbursed to:

- 1) Department of Rehabilitation Services,
Division of Independent Living,
623 E. Adams St., P.O. Box 19429,
Springfield, IL 62794-9429 (original);

- 2) CIL/DORS Liaison (copy);

- 3) DORS Regional Administrator (copy); and

- 4) CIL (copy).

- d) Applications are due in DORS' Division of Independent Living by April 1st of each calendar year.

Section 885.210 Program Plan

The program plan must contain:

- a) Cover Page
- b) Table of Contents

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- c) Program Narrative - this narrative must not exceed five double spaced typewritten pages. Briefly describe the program, plan of operation, who is served, expected outcomes and benefits to consumers served, geographic scope of the project and the expected community impact.
- d) Goals, Objectives and Activities - a goal must be included, with objectives and activities for each of the following areas:
- 1) community impact (systems advocacy);
 - 2) long-range planning;
 - 3) services to individuals (must include the four mandated services and all others provided by the CIL);
 - 4) development and fundraising activities - must include a projected total dollar amount to be raised; and
 - 5) financial and compliance audit recommendations.
- e) Goals, objectives and activities must be written in measurable terms. This section represents the CIL's plan for the next 12 months and thus should be listed in priority order and formatted as follows:

Goal
 XXXXXXXXXXXXXXXXXXXX
 Objective
 XXXXXXXXXXXXXXXXXXXX
 Activity
 XXXXXXXXXXXXXXXXXXXX
 Status Report

Under each activity leave a space for the status report on that activity. This will reduce the time in preparing the annual goals and objectives report.

- f) Funding available for each CIL will be determined in part by the CIL's rating in the Annual Compliance Review (See subsections 885.300 (k), (l), (m) and (n)).

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- g) As an attachment to the continuation grant application, each CIL applying for continuation funding must submit all assurances, signed and dated, referenced in Appendices C, D and E.

SUBPART D: COMPLIANCE STANDARDS AND CRITERIA

Section 885.300 Annual Compliance Review

- a) DORS SHALL CONDUCT AN ANNUAL ON-SITE COMPLIANCE REVIEW OF EACH CIL FUNDED UNDER THIS PART. BASED UPON SUCH REVIEW, DORS SHALL DETERMINE WHETHER TO RENEW, MODIFY OR TERMINATE EACH CIL'S GRANT (Section 12a of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3443a (the Act))).
- b) The compliance review shall be based upon the CIL's performance as measured by the Compliance Review Rating Sheet (IL 488-1998) (see Appendix B Compliance Review Report for Center for Independent Living) which is based on the National Standards and Criteria for Independent Living Centers as accepted by the National Council on Disability. Each CIL shall receive one of three ratings: Full Compliance, Partial Compliance, or Noncompliance.
- c) If funding is available, DORS will utilize a team of three Peer Reviewers to perform the annual compliance review. The Peer Review team shall be established by DORS and the Illinois Network of Centers for Independent Living (INCIL) and shall include:

- 1) one Director of a CIL:
 - A) who has 3 years of management experience in an Illinois CIL; and
 - B) who is chosen by the CIL being reviewed from a list of four (4) Directors submitted by the Manager of the DORS Independent Living Program.
- 2) one staff member of the DORS Independent Living Program:

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- A) who is not the Project Officer for the CIL being reviewed; and
- B) who has experience in evaluating CILs using the Compliance Review Rating Sheet (IL 488-1998).
- 3) one consultant serving the independent living field:
 - A) who has 3 or more years of work experience in consumer-controlled CILs;
 - B) preference will be given to people with disabilities;
 - C) who has been approved by INCIL;
 - D) who has no affiliation with any Illinois CIL; and
 - E) who is acceptable to the CIL being reviewed; however, each CIL will be permitted only one refusal.
- d) When Peer Reviewers are not used because of a lack of funding, staff of the DORS Independent Living Program shall conduct the review.
- e) A compliance review shall consist of one of the following:
 - 1) Primary Compliance Review - all of the twelve (12) standards on the Compliance Review Rating Sheet (IL 488-1998) will be applied to the CIL (see subsection (f)(3) below).
 - 2) Secondary Compliance Review - standards (see subsection (f)(2) below).
 - 3) Tertiary Compliance Review - standards (see subsection (f)(1) below).
- f) Reviews of Existing Centers.

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- 1) All existing CILs which have been in operation for 12 months or less from the date their initial contract with DORS commenced will receive a Tertiary Compliance Review. This review will include the following three standards in Appendix B:
 - A) Standard #1 "The Center shall promote and practice Independent Living Philosophy in its programming";
 - B) Standard #5 "The Center shall provide services to disabled individuals within the Center's target population and/or their families"; and
 - C) Standard #6 "The Center shall provide information and referral to all inquirers including those from outside the Center's target population."
- 2) All existing CILs which have been in operation for 24 months or less from the date their initial contract with DORS commenced will receive a Secondary Compliance Review. This review will include the following six standards in Appendix B:
 - A) Standard #1 "The Center shall promote and practice Independent Living Philosophy in its programming";
 - B) Standard #2 "The Center shall have a clearly defined target population that includes a range of disabilities";
 - C) Standard #5 "The Center shall provide services to disabled individuals within the Center's target population and/or their families";
 - D) Standard #6 "The Center shall provide information and referral to all inquirers including those from outside the Center's target population";

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- E) Standard #7 "The Center shall conduct activities to increase community capacity to meet the needs of individuals with disabilities"; and
- F) Standard #8 "Qualified disabled individuals shall be substantially involved in the policy direction, decision making, service delivery and management of the Center."
- 3) All existing CILs which have been in operation for 36 months or longer from the date their initial contract with DORS commenced, will receive a Primary Compliance Review. The review will include all twelve (12) of the standards in Appendix B.
- 4) A lottery will establish the order in which CILs are reviewed for the first and subsequent years' reviews.
- 5) When a CIL has been in operation for 36 months or longer, from the date their initial contract with DORS commenced, and they have received a Primary Compliance Review, subsequent reviews will be in accordance with subsection (a)(6) of this Section and subsection (k)(1) of this Section.
- g) The DORS Division of Independent Living reserves the right to schedule a review under subsection (f)(1) at any time while the CIL is receiving funding through DORS. A review may be scheduled when situations, including, but not limited to the following, occur (e.g., evidence of abuse of consumer confidentiality as reported by a consumer of services of the CIL; evidence that IRS Form 990 had not been filed with the federal Internal Revenue Service; or evidence that registration papers were not filed with the Secretary of State's office as required each calendar year). Every effort will be made to ensure that dates and times set for such reviews are acceptable to the CIL being reviewed.
- h) Primary Compliance Review rating requirements.

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- 1) A score of 50 or more will result in a Full Compliance rating.
- 2) A score of 40 to 49 will result in a Partial Compliance rating.
- 3) A score of 39 or less will result in a Noncompliance rating.
- 4) CILs receiving less than 30 points for a Primary Compliance Review shall have their contract(s) terminated, with thirty (30) days notice.
- 5) The CIL will have the right to appeal its rating per Section 885.310.
- i) Secondary Compliance Review rating requirements.
- 1) A score of 25 or more will result in a Full Compliance rating.
- 2) A score of 20 to 24 will result in a Partial Compliance rating.
- 3) A score of 19 or less will result in a Noncompliance rating.
- 4) CILs receiving less than 15 points shall have their contract(s) terminated with thirty (30) days notice.
- 5) The CIL will have the right to appeal their rating per Section 885.310.
- j) Tertiary Compliance Review rating requirements.
- 1) A score of 10 or more will result in a Full Compliance rating.
- 2) A score of 5 to 9 will result in a Partial Compliance rating.
- 3) CILs receiving less than 5 points shall have their contract(s) terminated with thirty (30) days notice.

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- 4) The CIL will have the right to appeal their rating per Section 885.310.

k) CILs receiving a Full Compliance rating for a Primary, Secondary or Tertiary Compliance Review shall be:

- 1) deemed in good standing for a period not to exceed three (3) years, during which time they will be exempt from a Primary and Secondary Compliance Review for a period not to exceed 3 years;
- 2) eligible to receive renewed funding at the same level as the previous year (provided funds are available); and
- 3) eligible to receive additional funds as may be available to DORS and as prescribed by a funding formula.

l) CILs receiving a Partial Compliance rating for a Primary, Secondary or Tertiary Compliance Review shall:

- 1) be required to serve a 6-month probationary period;
- 2) receive a quarterly visit from the DORS Division of Independent Living Project Officer during the probation period, to assist the CIL in correcting deficiencies which led to the rating;
- 3) receive a Full Compliance rating if all deficiencies are corrected by the end of the probation period, at which time the provisions of subsection (k) of this Section shall apply;
- 4) receive a Noncompliance rating if cited deficiencies are not corrected by the end of the probation period;
- 5) be eligible to receive renewed funding at the same level as the previous year (provided funds are available);

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- 6) not be eligible to receive any additional funds from DORS until such time as the CIL receives a Full Compliance rating; and
- 7) will receive, at a minimum, a Secondary Compliance Review during the next 3 years following the period in which the Partial Compliance rating was in effect.
- 8) The Project Officer will determine when all deficiencies have been corrected.

m) CILs receiving a Noncompliance rating for a Primary, Secondary, or Tertiary Compliance Review shall:

- 1) be required to serve a minimum 12-month probation;
- 2) receive quarterly visits from the DORS Division of Independent Living Project Officer during the probationary period, to assist the CIL in correcting deficiencies which led to the rating;
- 3) receive a Partial Compliance rating if all deficiencies are corrected by the end of the probationary period, at which time the provisions in subsection (l) of this Section shall apply;
- 4) be eligible to receive renewed funding at the same level as the previous year (provided funds are available);
- 5) not qualify for formula funding from DORS until such time as the CIL receives a Full Compliance rating; and
- 6) receive a Primary Compliance Review during the first year, and a Secondary Compliance Review in the second and third year, following the period in which the Noncompliance rating was in effect.
- 7) The Project Officer will determine when all deficiencies have been corrected.
- n) If at the end of the 12-month probation the CIL does not receive at a minimum a Partial Compliance rating,

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the contract will be terminated with thirty (30) days notice.

Section 885.310 Appeal of Compliance Review Ratings

a) The Manager's Review

- 1) A CIL wishing to appeal the compliance review rating must, within 30 business days of receiving the rating, write DORS Division of Independent Living requesting an appeal and specifying the findings with which the CIL disagrees. A copy of the letter shall be sent by the CIL to the Deputy Director, DORS Bureau of Rehabilitation Services.
- 2) The Manager will schedule a meeting for between 20 and 30 business days of the date of receipt of the appeal. Within 10 business days of DORS receiving the request, the CIL will be informed in writing by the Manager of the date, time and location of the meeting.
- 3) The Manager must be notified by the CIL of the appointment of a representative by filing, no later than 3 business days in advance of the meeting, a letter stating the representative's name, address and telephone number. That representative may be any individual chosen by the CIL. The CIL may have other persons attend the meeting, but only one person can be designated to represent the CIL.
- 4) The CIL will be given the opportunity to provide evidence and information at the meeting to support its belief that the rating is in error. Evidence which is provided orally will be recorded on tape for accuracy.
- 5) Any evidence provided by the CIL must be applicable to the time period of the review. No information or evidence will be permitted regarding corrective actions taken by the CIL since the completion of the review.
- 6) Within 15 business days after adjournment of the meeting, the Manager will send the written

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decision, by registered mail, to the CIL. The decision shall contain a statement of the basis upon which it was made and information regarding the next level of appeal.

- 7) When a rating is being appealed during the contract initiation process period, the CIL will receive funding at the same level as the previous year. If the CIL receives a Full Compliance as the result of the appeal decision and is eligible to receive additional funds beyond the previous year's funding level, such funds will be amended into the contract(s) effective 30 business days from the date the rating was changed. Such funds shall not be retroactive to the contract(s) start date but available only for the period remaining in the contract(s). If the CIL loses the appeal, no additional funds will be added to the current contract.

b) Director's Review

- 1) If the CIL is dissatisfied with the Manager's decision, the CIL may, within 15 days of receiving the decision, file a written appeal to the Director of DORS, with a copy to the Deputy Director of the Bureau of Rehabilitation Services (BRS) and the Manager.
- 2) The Director of DORS will review the original compliance review report, all evidence and information submitted by the CIL during the appeal review by the Manager, all oral and written information submitted by the CIL during the Manager's review and the decision, principal issues, facts and reasoning of the Manager.
- 3) Within 90 days of receipt of the CIL's appeal letter, the Director shall:
 - A) uphold the decision of the Peer Review Team or the Manager, (if applicable), at which time the provisions of Section 885.300 will become effective;

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- B) upgrade the rating, at which time the provisions of Section 885.300 will become effective; or
- C) request that the compliance review be performed again by the same review team.

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Section 885. Appendix A CIL Establishment Grant Application Peer Reviewer Rating Forms

ILLINOIS DEPARTMENT OF REHABILITATION SERVICES
DIVISION OF INDEPENDENT LIVING

CENTERS FOR INDEPENDENT

APPLICATION NO: _____

NAME: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

SUMMARY: ENTER SCORE FOR EACH CRITERION AND ADD TO OBTAIN TOTAL SCORE.

CRITERION	RANGE SCORE	OVERALL RECOMMENDATION
1. EVIDENCE OF NEED	0-5	If funds are available, I recommend a grant award for this application: <input type="checkbox"/> as submitted <input type="checkbox"/> or with recommended modification <input type="checkbox"/> I do not recommend funding this application <input type="checkbox"/>
2. PLAN OF OPERATION	0-25	
3. SERVICE COMPREHENSIVENESS	0-15	
4. QUALITY OF KEY PERSONNEL	0-10	
5. INVOLVEMENT OF INDIVIDUALS WITH DISABILITIES	0-20	
6. BUDGET AND COST EFFECTIVENESS	0-10	
7. EVALUATION PLAN	0-5	
8. ADEQUACY OF RESOURCES	0-10	
9. RESPONSIVENESS TO PRIORITY	0-20	
TOTAL		
GRAND TOTAL 0-120		

CERTIFICATION OF COMPLIANCE WITH SCOPE OF WORK

I hereby certify that, in completing this grant application review rating form, I have complied with the scope of work requested of me or included in the services contract.

I further certify that there is an absence of conflict of interest for the above application.

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Criterion: 1	P	M	A	G	E
	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
		I	U	L	L
		N	A	L	E
		A	T	E	N
		L	E	N	T
I.					
1. The Director reviews each Application for information that shows that the need for project has been adequately justified:					
2. The Director looks for information that shows that need for the Center for Independent Living has been established in terms of existing programs and facilities and includes an assessment of the potential of the existing programs and facilities to meet service needs for independent living services of individuals with disabilities in the geographical area to be served.					
Subtotal (Range 0-5)					

RATIONALE FOR RATING:

Criterion: 2	P	M	A	G	E
	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
		I	U	L	L
		N	A	L	E
		A	T	E	N
		L	E	N	T
1. The Director reviews each application for information that shows the quality of the plan of operation for the project.					
2. The Director looks for information that shows:					
(i) High quality in the design of the project;					
(ii) An effective plan of management that ensures proper and efficient administration of the project;					
(iii) A clear description of how the objectives of the project relate to the purpose of the program;					
(iv) The way the applicant plans to use its resources and personnel to achieve each objective;					
(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as:					
(A) Members of racial or ethnic minority groups;					
(B) Women;					
(C) Persons with disabilities; and					
(D) The elderly.					
Subtotal (Range 0-25)					

RATIONALE FOR RATING:

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Criterion:	P	M	A	G	E
	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
		I	U	L	L
		N	A	L	L
		A	T	E	N
		L	E		T
SERVICE COMPREHENSIVENESS					
1. The Director reviews each application for information that shows the comprehensiveness of the services to be available in each Center.					
2. The Director looks for information that shows:					
(i) Evidence that the Center will utilize all presently available services.					
(ii) Evidence that effort will be made to provide as many as possible of the services identified in the definition of "Center for Independent Living" in Title 89: Chapter IV; Subchapter h; Part 885, Section 885.100(b) (2)(C) and (D).					
(iii) Evidence that the project will service individuals with a broad range of disabilities including disabled persons who may have limited knowledge about the project such as persons who are mentally retarded or sensory impaired.					
Subtotal (Range 0-15)					

RATIONALE FOR RATING:

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Criterion: 4	P	M	A	G	E
	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
		I	U	L	L
		N	A	L	L
		A	T	E	E
		L	E	N	N
					T
QUALITY OF KEY PERSONNEL					
1. The Director reviews each application for information that shows the qualification of the key personnel the applicant plans to use on the project.					
2. The Director looks for information that shows:					
(i) The qualifications of the project director;					
(ii) The qualifications of each of the other key personnel to be used in the project;					
(iii) The time that each person referred to in paragraph (2)(i) and (ii) of this Section will commit to the project; and					
(iv) The extent to which the applicant, as part of its non-discriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally un- derrepresented, such as:					
(A) Member of racial or ethnic minority groups;					
(B) Women;					
(C) Persons with disabilities; and					
(D) The elderly.					
3. To determine personnel qualifications, the Director considers experience and training, in fields related to the objectives of the projects, as well as other information that the applicant provides.					
Subtotal (Range 0-10)					
RATIONALE FOR RATING:					

RATIONALE FOR RATING:

Criterion: 5	P	M	A	G	E
	O	A	D	O	X
	R	R	E	O	C
		G	Q	D	E
		I	U	L	L
		N	A	L	L
		A	T	E	E
		L	E	N	N
					T
INVOLVEMENT OF INDIVIDUALS WITH DISABILITIES					
1. The Director reviews each application for information that shows that individuals with disabilities are appropriately involved in conducting Center activities.					
2. The Director looks for information that shows that individuals with disabilities and their parents, guardians or other representatives, as appropriate, will be substantially involved in planning, policy direction and management of the Center and will be employed by the Center.					
3. The Director reviews each application for an assurance that the Center for Independent Living has a governing board with a majority of persons with disabilities.					
Subtotal (Range 0-20)					

RATIONALE FOR RATING:

Criterion: 6	P	M	A	G	E
	O	A	D	O	X
	R	R	E	O	C
		G	Q	D	E
		I	U	L	L
		N	A	L	L
		A	T	E	E
		L	E	N	N
					T
BUDGET AND COST EFFECTIVENESS					
1. The Director reviews each application for information that shows that the project has an adequate budget and is cost effective.					
2. The Director looks for information that shows:					
(i) The budget for the project is adequate to support the project activities; and					
(ii) Costs are reasonable in relation to the objectives of the project.					
Subtotal (Range 0-10)					

RATIONALE FOR RATING:

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Criterion: 7	P	M	A	G	E
	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
EVALUATION PLAN		I	U		L
		N	A		L
		A	T		E
		L	E		N
					T
1. The Director reviews each application for information that shows the quality of the evaluation plan for the project.					
2. The Director looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.					
Subtotal (Range 0-5)					

RATIONALE FOR RATING:

Criterion: 8	P	M	A	G	E
	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
ADEQUACY OF RESOURCES		I	U		L
		N	A		L
		A	T		E
		L	E		N
					T
1. The Director reviews each application for information that shows that the applicant plans to devote adequate resources to the project.					
2. The Director looks for information that shows:					
(i) The facilities that the applicant plans to use are adequate; and					
(ii) The equipment and supplies that the applicant plans to use are adequate.					
Subtotal (Range 0-10)					

RATIONALE FOR RATING:

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Section 885.APPENDIX B Compliance Review Report Rating Sheet (IL 488-1998)

Criterion: 9	P	M	A	G	E
RESPONSIVENESS TO PRIORITY TO SERVE UNSERVED AND/OR UNDERSERVED GEOGRAPHIC AREAS	O	A	D	O	X
	O	R	E	O	C
	R	G	Q	D	E
	I	U	L		
	N	A	L		
	A	T	E		
	L	E	N		
			T		
1. The Application contains evidence that the project is not needed to serve geographic areas which currently are served or are underserved by Centers for Independent Living.					
2. Among the factors that may be considered are the following:					
a. The application contains letters from consumers, providers of services or pertinent agencies and organizations demonstrating the need for independent living services in the geographic area(s) proposed to be served by the applicant.					
b. The application contains reports of assessments of needs in such forms as surveys of consumer opinions, inventories of providers of services, reports of meetings with consumers or providers or other formal assessments which display a discrepancy between the needs of consumers and the availability of independent living services.					
c. The application specifies the geographic area(s) currently unserved or underserved.					
d. The application specifies the groups of consumers for whom independent living services are unavailable.					
Subtotal (Range 0-20)					

RATIONALE FOR RATING:

for

Name of Center

Completed on:

Dates

By

Name of Reviewer

Name of Reviewer

Name of Reviewer

Name of Reviewer

By Authority of:

Illinois State Law P.A. 85-200, Section 12a of "an Act in relation to the rehabilitation of disabled persons," Ill. Rev. Stat. 1989, ch. 23, par. 3443a.

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SCORING SHEET

Standard 1	_____
Standard 2	_____
Standard 3	_____
Standard 4	_____
Standard 5	_____
Standard 6	_____
Standard 7	_____
Standard 8	_____
Standard 9	_____
Standard 10	_____
Standard 11	_____
Standard 12	_____

TOTAL _____

PRIMARY COMPLIANCE REVIEW (12 Standards)

Full Compliance = a score of 50 and more
 Partial Compliance = A score of 40 to 49
 NonCompliance = a score of 30 to 39
 Termination of Funds = a score of less than 30

SECONDARY COMPLIANCE REVIEW (6 Standards)

Full Compliance = a score of 25 and more
 Partial Compliance = a score of 20 to 24
 NonCompliance = a score of 15 to 19
 Termination of Funds = a score of less than 15

TERTIARY COMPLIANCE REVIEW (3 Standards)

Full Compliance = a score of 10 and more
 Partial Compliance = a score of 5 to 9

CILs must receive a minimum of 5 total points to avoid contract termination.

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Standard 1

The center shall promote and practice independent living philosophy in its programming.
 Does this center demonstrate adherence to the independent living philosophy of:

Articles
 By-Laws
 Mission Statement
 Brochure
 Program Descriptions
 Annual Report
 Newsletter
 (Interviews)

Consumer control
 Cross disability
 Community-based services
 Equal access to society, services and facilities
 Self-help
 Center's offices are free of architectural and communication barriers based upon the Illinois Environmental Barriers Act Standards

Comments:

Score:

5 = demonstrates commitment in all areas; has all documents and all documents indicate philosophy.
 4 = demonstrates commitment in 3 or more areas; has all documents and all documents indicate philosophy.
 3 = demonstrates commitment in 3 or more areas; has 3 or more documents and those documents indicate philosophy.
 2 = demonstrates commitment in 2 or fewer areas; has 2 or fewer documents and documents indicate philosophy.
 1 = demonstrates no commitment; has 2 or fewer documents and documents do not indicate philosophy.
 0 = has no commitment, no documents and no evidence of philosophy.

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NOTICE OF ADOPTED RULES

Standard 2

The center shall have a clearly defined target population that includes a range of disabilities. Does this center have a clearly defined cross-disability target population:

Items to be Reviewed

Brochure

Program Descriptions
Service Policies
Service Procedures
Statistical Reports
Annual Report
(Interviews)

Neurological Disabilities
Orthopedic Disabilities
Hearing Disabilities
Visual Disabilities
Mental Retardation Disabilities
Mental Illness Disabilities
Other Disabilities

Comments:

Score:

- 5 = proof of service to all disability groups; serves 6 or more out of 7 disability groups; promotional literature stresses cross-disability; presence of one particular disability not required for service.
- 4 = serves 5 out of 7 disability groups; promotional literature stresses cross-disability; presence of one particular disability not required for service.
- 3 = serves 3 or 4 out of 7 disability groups; promotional literature stresses cross-disability; presence of one particular disability not required for service.
- 2 = serves less than 3 out of 7 disability groups; promotional literature stresses cross-disability; presence of one disability not required for service.
- 1 = serves less than 3 out of 7 disability groups; promotional literature does not stress cross-disability; presence of one disability not required for services.
- 0 = serves only one disability group; promotional literature does not stress cross disability.

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NOTICE OF ADOPTED RULES

Standard 3

The center shall increase individual consumer achievement of independent living goals Does this center document consumer achievement of independent living goals in the following areas:

Items to be Reviewed

Brochure
Program Descriptions
Service Policies
Service Procedures
Statistical Reports
Annual Report
Consumer files
Grant Proposals or Funding Contracts
(Interviews)

Advocacy (consumer)
Independent living skills training
Peer counseling
Other services which assist consumers to live independently in the service area but which do not compromise independent living philosophy (please list below)

Comments:

Score:

- 5 = documents achievement of consumer goals in all service areas listed above.
- 4 = documents achievement of consumer goals in the core service areas listed above.
- 3 = documents achievement of consumer goals in two of the core services and at least one other service developed by the center.
- 2 = documents achievement of consumer goals in one of the core service areas and at least one other service developed by the center.
- 1 = documents achievement of consumer goals in one core service area.
- 0 = center does not document achievement of consumer goals in any service area.

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Standard 4

The center shall increase the availability and improve the quality of community options for independent living.

Items to be Reviewed

Does this center advocate for increased options for independent living?

Brochure
Program Descriptions
Service Policies
Service Procedures
Statistical Reports
Annual Report
Grant Proposals or
Funding Contracts
Plans to address
barrier removal
(Interviews)

___ List of priorities to be addressed
___ List of activities conducted or successes
___ Other items which demonstrate the center's efforts at improving community options (please list):

Comments:

Score:

___ 5 = center has a plan for increasing community options; demonstrates adherence to the plan; reacts to community option issues outside the plan as it can.
___ 4 = center has a plan for increasing community options; demonstrates partial adherence to the plan; reacts to community option issues outside the plan as it can.
___ 3 = center has a plan for increasing community options; demonstrates minimal adherence to the plan; reacts to community issues outside the plan as it can.
___ 2 = center does not have a plan; reacts to community option issues as they arise.
___ 1 = center does not have a plan; reacts minimally to community option issues as they arise.
___ 0 = center cannot demonstrate any activity to increase community options for independent living.

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Standard 5

The center shall provide services to disabled individuals within the center's target population and/or their families.

Items to be Reviewed

Does this center provide core services?

Brochure
Program Descriptions
Service Policies
Service Procedures
Statistical Reports
Annual Report
Consumer Files
Grant Proposals or
Funding Contracts
(Interviews)

___ Advocacy (consumer)
___ Independent Living skills train
___ Peer counseling
___ Other services which assist consumers to live independently in the service area but which do not compromise independent living

Comments:

Score:

___ 5 = provides all core services according to grant or contract; provides other services to meet community needs.
___ 4 = provides two core services according to grant or contract; provides other services to meet community needs.
___ 3 = provides two core services according to grant or contract.
___ 2 = provides one core service according to contract; provides other services to meet community needs.
___ 1 = provides one core service according to grant or contract.
___ 0 = provides one core service but does not meet terms of grant or contract.

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Standard 6

The center shall provide information and referral to all inquirers including those from outside the center's target population.
Does this center provide I&R services?

Standard 7

The center shall conduct activities to increase community capacity to meet the needs of individuals with disabilities.
Does this center conduct activities to increase community capacity?

Items to be Reviewed

Items to be Reviewed

Brochure
I&R System
I&R Policies
I&R Procedures
I&R Reports
Annual Report
(Interviews)

___ Documentation of I&R service provision

Brochure
Program Descriptions
Policies
Procedures
Plans
Annual Report
(Interviews)

___ Advocacy (systems)
___ Technical assistance
___ Public information
___ Outreach
___ Initiatives to establish an active role in the community

Comments:

Comments:

Score:

___ 5 = center has policies, procedures, reporting system and appears to fulfill every request promptly and accurately.
___ 4 = center has policies, procedures reporting system and appears to fulfill every request accurately.
___ 3 = center has policies and a reporting system and appears to fulfill every request.
___ 2 = center has a reporting system and appears to fulfill every request.
___ 1 = center appears to fulfill every request.
___ 0 = center does not provide every request.
*I&R nor fill every request.

Score:

___ 5 = center can demonstrate activity in all five areas above.
___ 4 = center can demonstrate activity in advocacy and three other areas above.
___ 3 = center can demonstrate activity in advocacy and two other areas above.
___ 2 = center can demonstrate activity in advocacy and one other area above.
___ 1 = center can demonstrate activity in one area above.
___ 0 = center cannot demonstrate any activity in areas listed above.

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Standard 8

Qualified disabled individuals shall be substantially involved in the policy direction, decision-making, service delivery, and management of the center.

Items to be Reviewed

Does this center demonstrate substantial consumer involvement in its operation?

Articles
By-Laws
Mission Statement
Philosophy
Personnel Policies
Affirmative Action/
Equal Employment
Opportunity Plans
Other Policies
Board Roster
Staff Roster
Volunteer Policies
(Interviews)

Majority of board members have disabilities
Majority of full-time management staff have disabilities
Majority of full-time service and support staff have disabilities
Majority of volunteers have disabilities
Center uses affirmative action procedures in recruitment and hiring practices

Comments:

Score:

- 5 = center has majority of persons with disabilities on board, in management, on staff and in volunteer corps; demonstrates affirmative action procedures.
4 = center has majority of persons with disabilities on board, in management and on staff; demonstrates affirmative action procedures.
3 = center has majority of persons with disabilities on board and on staff or in volunteer corps; demonstrates affirmative action procedures.
2 = center has majority of persons with disabilities on board; demonstrates affirmative action procedures.
1 = center has majority of persons with disabilities on board.
0 = center does not have substantial consumer involvement.

NOTE: MUST RECEIVE SCORE OF 1 OR HIGHER TO COMPLY WITH STANDARDS.

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Standard 9

The center shall establish clear priorities through long-range and annual program and financial plan. Does this center have clear priorities, a long-range plan, an annual plan and financial plan?

Items to be Reviewed

Long-Range Plan
Annual Plan
Grant Proposals or
Funding Contracts
Financial Plan
Fundraising Plan
Board Meeting Minutes
Annual Report
Audit
(Interviews)

List of priorities for board and staff (may be the annual plan of goals and objectives)
Long-range plan (3 to 5 year goals)
Annual plan of goals and objectives (should include dates, times, persons responsible and action steps)
Financial plan (may include fund raising goals and objectives as well as plans for changing fiscal management systems or financial policies and procedures)

Comments:

NOTICE OF ADOPTED RULES

Score:

- 5 = center has set priorities, long-range plans, an annual plan and a plan for financial security.
4 = center has set priorities and has an annual plan and a plan for financial security.
3 = center has set priorities and has an annual plan.
2 = center has an annual plan with no set priorities.
1 = center has set priorities.
0 = center has not engaged in a planning process and cannot demonstrate that it has plan set priorities.

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Standard 10

The center shall use sound organizational and personnel management practices.

Items to be Reviewed

Does this center practice sound organizational and personnel management principles?

Articles

By-Laws

501 *(c)(3) letter

Incorporation Papers

Registration Papers

Audit

(1) By-laws are in order and up-to-date

(1) 501 (c)(3) status is in order and up-to-date

(1) Registration in state of incorporation is in order and up-to-date

(1) Payroll records indicate taxes are being withheld and filed on a timely basis

(2) Personnel policies are in order and enforced

(2) Staff has an orientation manual or proof of training

(3) Board has an orientation or operating manual

(4) Each committee has a mission statement

(2) There are job descriptions for all staff

(3) There are job descriptions for all board members

(2) Staff performance is reviewed at least annually

(3) There is a job classification system which is tied to wages and salaries

(2) Staff keep accurate time records

(4) Staff and board development plans for training

(3) There is adequate insurance to cover the center's needs

(2) There is a confidential personnel file for each employee

(3) Staff understand all policies and procedures

(3) Board sets all policies

Staff and Board

Training Plan

Insurance Policies

Grant Proposal or

Funding Contract

(Interviews)

Comments:

Score:

5 = center has all documentation listed above and can place a check next to each issue listed on the right.

4 = documentation listed above and has all documents listed in issues numbered 1, 2 and 3.

3 = center has most of the documentation listed above and has all documents listed in issues numbered 1 and 2.

2 = center has most of the documentation listed above and has all documents listed in issue number

1 = center has some of the documentation listed above and most of the documents listed in issue number 1.

0 = center has inadequate documentation and no proof of sound organizational and personal management.

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Standard 11
Items to be Reviewed

The center shall practice sound fiscal management.
Does the center practice sound fiscal management?

Audit
Annual Budget
Financial Statements
Financial Plan
Fundraising Plan
IRS 990
Grant-Proposal or
Funding Contract
Financial Policies
and Procedures
Office Policies and
Procedures
Fundraising Policies
and Procedures
Equipment Inventory
(Interviews)

Comments:

- 5 = center has an annual budget, periodic financial statement, an annual independent audit, and a fundraising plan.
4 = center has an annual budget, periodic financial statements and an annual independent audit.
3 = center has an annual budget, periodic financial statements and a fundraising plan.
2 = center has an annual budget and periodic financial statements.
1 = center has an annual budget and some financial statements.
0 = center does not have an annual budget or produce periodic financial statements.

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Standard 12

The center shall conduct an annual self-evaluation and maintain individual planning records.

Items to be Reviewed
Board Self-Evaluation
Annual Report
Consumer Files
Consumer Evaluation
Results
Policies and
Procedures
Policy on
Confidentiality

Does the center evaluate itself annually and maintain individual planning records for its consumers?

The board evaluates itself for purposes of future recruitment and nominating of members
Board and staff review the annual plan and make conclusions about progress towards goals and objectives for the year
Consumer evaluation results are tabulated and reviewed by board and staff
Consumer files contain the following
a request for services form
initiation of services form
an independent living plan
notes of consumer contact/progress
service outcomes
an exit form, if appropriate
release forms, if appropriate
Consumers have access to their own files

Comments:

Score:

- 5 = board reviews its needs annually, center reviews its progress annually, consumer evaluation results are used by board and staff, and consumer files contain all appropriate information.
4 = center reviews its progress annually, consumer evaluation results are used by board and staff, and consumer files contain all appropriate information.
3 = center reviews its progress annually and consumer files contain all appropriate information.
2 = consumer files contain all appropriate information.
1 = consumer files contain some appropriate information, but not all.
0 = the center is not evaluating itself annually and consumer files do not contain adequate information.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Center access requirements:

- Architectural/physical
- TTY/TDD
- Interpreter services
- Braille
- Large print
- Taped materials

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CIL Compliance Review Interview Questions for Board members

Name: _____ Interview Date: _____
 Title, if appropriate: _____ Phone: _____

1. How do you ensure that the center uses and promotes the independent living philosophy in its operations and programming? (Standard #1)

2. How do you increase the availability and improve the quality of community options for independent living for people with disabilities? (What kinds of systems advocacy activities does the center conduct to increase and improve services which support independent living goals of people with disabilities?) (Standard #4)

3. How do you increase community capacity to meet the needs of people with disabilities? (What kinds of systems advocacy activities does the center conduct to make the community more accessible to people with disabilities?) (Standard #7)

4. How do you maintain substantial involvement of people with disabilities in the center's policy direction, decision-making, service delivery and management? (Standard #8)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

5. How does the center develop its long-range plan? What does this plan include? Is program and fiscal planning included? (Standard #9)

6. Describe the center's organizational structure. Who is responsible for day-today management of the center? Who is responsible for overall management and supervision of the center's activities? Who is responsible for fulfilling the personnel management function? (Standard #10)

7. Who is responsible for fiscal management? Describe basic financial management procedures. (Standard #11)

8. How does the center evaluate itself? How often? (Standard #12)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

9. Describe your job or relationship with the center. Is your job clearly defined? (Standard #10*)

10. What is the mission of the center? (Standards #1*, 2, 3, 4, 5, 6 & 7*)

11. What are the current goals of the center? (Standard #9)

12. How are goals and progress towards reaching them evaluated? By whom? (Standards #9 and 12)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

13. What are the center's primary services? (Standards #4, 5, 6 & 7)

14. Who does the center serve? Who are the center's targeted consumer groups? (Standard #2)

15. Are the center's services helpful to consumers? Are these services addressing consumer's problems? If so, how? If not, why? How do you know? (Standards #3, 4, 5, 6, 7 & 12)

16. Who makes policy decisions for the center? (Standard #10)

17. Who makes management decisions? (Standard #10)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

18. How can the center's programs be improved or enhanced? (Standard #12)

19. In what areas could staff or board be more effective? Please give examples. (Standards #10 & 12)

20. What training do board members receive once elected to the board? (Standard #10)

21. What training does the board need new? (Standard #10)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

22. Do you have other comments about the center you wish to share?

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CIL Compliance Review Interview Questions for Administrative Staff Members

Name: _____ Interview Date: _____
Title, if appropriate: _____ Phone: _____

1. How do you ensure that the center uses and promotes the independent living philosophy in its operations and programming? Please give examples. (Standard #1*)

2. How do you increase the availability and improve the quality of community options for independent living for people with disabilities? (What kinds of systems advocacy activities does the center conduct to increase and improve services which support independent living goals of people with disabilities?) (Standard #4)

3. How do you increase community capacity to meet the needs of people with disabilities? (What kinds of systems advocacy activities does the center conduct to make the community more accessible to people with disabilities?) (Standard #7)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

4. How do you maintain substantial involvement of people with disabilities in the center's policy direction, decision-making, service delivery and management? (Standard #8)

5. How does the center develop its long-range plan? What does this plan include? Is program and fiscal planning included? (Standard #9)

6. Describe the center's organizational structure. Who is responsible for day-to-day management of the center? Who is responsible for overall management and supervision of the center's activities? Who is responsible for fulfilling the personnel management function? (Standard #10)

7. Who is responsible for fiscal management? Describe basic financial management procedures. (Standard #11)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

8. How does the center evaluate itself? How often? (Standard #12)

9. Describe your job or relationship with the center. Is your job clearly defined? (Standard #10)

10. What is the mission of the center? (Standards #1*, 2, 3, 4, 5, 6 & 7)

11. What are the current goals of the center? (Standard #9)

12. How are goals and progress towards reaching them evaluated? By whom? (Standards #9 and 12*)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

13. What are the center's primary services? (Standards #4, 5, 6 & 7)

14. Who does the center serve? Who are the center's targeted consumer groups? (Standard #2)

15. Are the center's services helpful to consumers? Are these services addressing consumer's problems? If so, how? If not, why? How do you know? (Standards #3, 4, 5, 6, 7 & 12)

16. Who makes policy decisions for the center? (Standard #10)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

17. Who makes management decisions? (Standard #10)

18. How can the center's programs be improved or enhanced? (Standard #12)

19. In what areas could staff or board be more effective? Please give examples. (Standards #10 & 12)

20. What training do staff member receive once hired? (Standard #10)

21. What training does the staff need now? (Standard #10)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

22. Do you have other comments about the center you wish to share?

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CIL Compliance Review Interview Questions for Services Staff Members

Name: _____ Interview Date: _____
Title, if appropriate: _____ Phone: _____

1. How do you ensure that the center uses and promotes the independent living philosophy in its operations and programming? Please give examples. (Standard #1*)

2. How do you assist consumers wishing to achieve a higher degree of independence? (Standard #3)

3. How do you increase the availability and improve the quality of community options for independent living for people with disabilities? (What kinds of systems advocacy activities does the center conduct to increase and improve services which support independent living goals of people with disabilities?) (Standard #4)

4. How do you increase community capacity to meet the needs of people with disabilities? (What kinds of systems advocacy activities does the center conduct to make the community more accessible to people with disabilities?) (Standard #7)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

5. How do you ensure that requests for information and referral are responded to accurately and promptly? (Define promptly) (Standard #6)

6. How are consumer files maintained and what is included in such files? (Standard #12)

7. Describe your job or relationship with the center. Is your job clearly defined? (Standard #10*)

8. What is the mission of the center? (Standards #1, 2, 3, 4, 5, 6 & 7*)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

9. What are the current goals of the center? (Standard #9)

10. How are the goals and progress toward reaching them evaluated? By whom? (Standards #9 & 12)

11. What are the center's primary services? (Standards #3, 4, 5, 6, & 7)

12. Who does the center serve? Who are the center's targeted consumer groups? (Standard #2)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

13. Are the center's services helpful to consumers? Are these services addressing consumer's problems? If so, how? If not, why? How do you know? (Standards #3, 4, 5, 6, 7, & 12)

14. Who makes policy decisions for the center? (Standard #10*)

15. Who makes management decisions? (Standard #10)

16. How can the center's programs be improved or enhanced? (Standard #12)

17. In what areas could staff or board be more effective? Please give examples. (Standards #10 & 12*)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

18. What training do staff members receive once hired? (Standard #10*)

19. What training does the staff need now? (Standard #10)

20. Do you have other comments about the center you wish to share?

CIL Compliance Review Interview Questions for Consumers

Name: _____ Interview Date: _____
 Title, if appropriate: _____ Phone: _____

1. What services are you getting from the center now? (Standards #3, 4, 5, 6 or 7)

2. Who decided which services or assistance you would get? (Standards #1 and 8*)

3. What is your level of satisfaction with these services? Please describe. (Standards #3 and 8)

_____ Highly Satisfied
_____ Satisfied
_____ Somewhat Satisfied
_____ Not Satisfied

4. What is the center's image in the community? (Standards #1 & 12)

5. How often do you make contact with the center? (Standard #8) Is this:

Too Often
Not Often Enough
Just About Right

6. Who is responsible for initiating contact? Why? (Standard #8*)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CIL Compliance Review Interview Questions for Volunteers

Name: _____ Interview Date: _____
Title, if appropriate: _____ Phone: _____

1. What volunteer work are you doing for the center now? (Standard #10*)

2. What is your level of satisfaction with the center? Please describe.
(Standard #10)

____ Highly Satisfied
____ Satisfied
____ Somewhat Satisfied
____ Not Satisfied

3. What is the center's image in the community? (Standards #1 & 12)

4. How often do you make contact with the center? (Standard #10) Is this:

____ Too Often
____ Not Often Enough
____ Just About Right

5. Who is responsible for initiating contact? Why? (Standard #10)

6. Do you have other comments about the center you wish to share?

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CIL Compliance Review Interview Questions for Agency Representatives

Name: _____ Interview Date: _____
Title, if appropriate: _____ Phone: _____

1. What is your relationship to the center now? (not applicable to any one Standard)

2. What is your level of satisfaction with the center? Please describe.
(Standard #12)

____ Highly Satisfied
____ Satisfied
____ Somewhat Satisfied
____ Not Satisfied

3. What is the center's image in the community? (Standards #1 & 12)

4. How often do you make contact with the center? (Standard #10) Is this:

____ Too Often
____ Not Often Enough
____ Just About Right

5. Who is responsible for initiating contact? Why? (Standard #10)

6. Do you have other comments about the center you wish to share?

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

Section 885.APPENDIX C Other Assurances (IL 488-2033)

OTHER ASSURANCES

For Use With Purchase of Service Grants

The Applicant hereby assures and certifies that it will comply with Federal guidelines and requirements, including OMB Circulars

A-21, A-133 and A-88, if the applicant is a college or university or

A-128, A-102 and A-87, if the applicant is a State or Local government or

A-122 and A-133, if the applicant is a *not-for-profit agency as they relate to the application, acceptance and use of Federal funds for this federally-assisted project. Also, the Applicant assures and certifies that:

1. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.
2. (Check One):
The most recent copy of its Affirmative Action Plan is on file
with the EEO officer of DORS; or
The most recent copy of its Affirmative Action Plan is not on file
with DORS, but n will be submitted before approval of the grant.
3. (Check One):
Yes
No

A purpose of this grant relates to any interest in, improvement to, or use in of, land which is in a land trust. If "yes", the applicant must

No attach a Disclosure Statement executed by the trustee or a beneficiary of the trust.

4. It possesses legal authority to apply for the grant and a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

Date

Authorized Official(s)

FOR *DORS GRANTS & CONTRACTS USE

Name of Applicant

Copy Sent to EEO/AA Officer

Street

Date

City, State, Zip Code

IL 488-2033 (04/90)

This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under (Ill. *Rev. Stat. ch. 23, par. 3434). Disclosure of this information is REQUIRED. Failure to provide any information will result in this form not being processed. This form has been approved by the Forms Management Center.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Contract/Grant No. _____

DISCLOSURE STATEMENT

1. State the name and address of every beneficiary having any interest in the land trust and the extent of such interest:

2. I, _____, state on oath or affirm that I am _____ for/of _____ (title) _____ (name/title)

I have been authorized by _____ to execute this Disclosure Statement made above, and it is true and correct to the best of my knowledge.

Signature _____ Date _____

STATE OF ILLINOIS)) ss))

COUNTY OF _____))

I certify that on _____, 199____, _____ personally appeared before me and swore or affirmed that _____ he _____ signed this document and that the information provided was true and correct.

Notary Public _____ My Commission Expires _____

* * * * *

Disclosure of the above information is required by Illinois law (Ill. Stat. ch. 148, S 72.1 (1989)).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Section 885.APPENDIX D Internal Revenue Certification (IL 488-2035)

INTERNAL REVENUE SERVICE CERTIFICATIONS

This certification is mandated by the Internal Revenue Service. Enter your taxpayer identification number ("TIN") in the appropriate space. For individuals and sole proprietors, this is your social security number. For other entities, it is your employer identification number. Federal Employer Identification Numbers (FEINs) cannot be used for sole proprietorship.

If you do not have a TIN, apply for one immediately. To apply, get Form SS-5, Application for a Social Security Card (for individuals), from your local office of Social Security Administration, or Form SS-4, Application for Employer Identification Number (for businesses and all other entities), from your local Internal Revenue Service office.

If you do not have a TIN, complete the certification by indicating the date a TIN has been applied for and signing and dating the form, and return it to this agency. As soon as you receive your TIN, you must fill out another form with your TIN, sign and date the form, and give it to this agency.

If you furnish a false TIN to this agency, you are subject to an IRS penalty of \$50.00 for each instance, unless due to reasonable cause and not to willful neglect.

WILLFULLY FALSIFYING CERTIFICATIONS OR AFFIRMATIONS MAY SUBJECT YOU TO CRIMINAL PENALTIES INCLUDING FINES AND/OR IMPRISONMENT.

Under penalties of perjury, I certify that _____ is my correct Federal Taxpayer Identification Number.

I am doing business as a: (Please Check Only One)

- | | |
|------------------------------|-------------------|
| Individual | Real Estate Agent |
| Sole Proprietorship | Government Entity |
| Partnership | Tax Exempt |
| Corporation | Organization |
| Not-for-Profit Corporation | (IRS 501(a) only) |
| Medical and Health Care | Trust or Estate |
| Service Provider Corporation | |

Date _____

Signature of Authorized Agent _____

Name of Authorized Agent
(Type or Print) _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Name of Applicant _____

Street _____

City, State and Zip Code _____

IL488-2035 (02/90)

This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under (ILL. Rev. Stat. ch. 23, par. 3434). Disclosure of this information is REQUIRED. Failure to provide any information will result in this form not being processed. This form has been approved by the Forms Management Center.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Section 885.APPENDIX E Additional Assurances - I through XVII

ASSURANCE I

Yes { } CIL certifies that it is a
non-residential program.

Yes { } CIL certifies that it is a
consumer controlled organization.

Yes { } CIL certifies that at
least 51% of the board members are persons with disabilities.

Yes { } CIL certifies that they
provide the four mandated individual services which include: peer
counseling; advocacy; information and referral; and independent
living skills training.

Yes { } CIL certifies that it is
a not-for-profit corporation as organized under Illinois General
Not-For-Profit Corporation Act of 1986, Ill. Rev. Stat. ch. 32,
par. 101.01 et seq.
(1989).

CIL Responsible Official _____

DATE _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE II

The Center shall promote and practice the following Independent Living Philosophy in its programming:

- 1.1 Consumer control of policy direction and management of the Independent Living Center;
- 1.2 Consumer control of the development of Independent Living service objectives and services;
- 1.3 Self-help and self-advocacy;
- 1.4 Equal access to society by persons with disabilities;
- 1.5 Equal access to programs and physical facilities;
- 1.6 Developments of peer relationships and peer role models;
- 1.7 Meeting the specific independent living needs of the local community; and
- 1.8 A range of services to all persons with disabilities.

CIL Responsible Official _____

DATE _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE III (Services)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's *(ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 2

Requiring independent living services be based on individual consumer needs and choices.

Objective 3

Assessment methods used are individually based rather than traditionally prescribed.

Activity 1

"Each individual will be assessed based on the need for specific information in order to develop a meaningful, individualized, independent living plan."

CIL Responsible Official _____

DATE _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE IV (Services)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's *(ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 2

Requiring independent living services be based on individual consumer needs and choices.

Objective 3

Assessment methods used are individually based rather than traditionally prescribed.

Activity 3

"In-services will be conducted to service providers regarding individualizing assessments based on specific information that is needed in order to develop a person's individual independent living plan."

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE V (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 3

Identifying minority (racial) persons with disabilities and assuring independent living services are satisfactorily achieved.

Objective A

All Centers providing independent living services have boards which have at least 51 percent persons with disabilities and minority (racial) members reflect local demographics.

Activity 1

"Boards (Centers) will research and provide documentation of the population demographics including the percentage of each identified racial population of its service area."

This information is required to be submitted by October 1, 1990 and annually thereafter.

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE VI (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 3

Identifying minority (racial) persons with disabilities and assuring independent living services are satisfactorily achieved.

Objective A

All Centers providing independent living services have boards which have at least 51 percent persons with disabilities and minority (racial) members reflect local demographics.

Activity 2

"Each CIL (DORS) grant application will include the service area's racial percentages, a plan to address achieving a racially balanced board and a monitoring process to achieve full implementation."

- Service area racial percentages required by October 1, 1990. Submitted to DORS Division of Independent Living.
- Plan to achieve a racially balanced board and a monitoring process developed by each Center by December 1, 1990.

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE VII (SERVICES)

The Illinois Department of Rehabilitation Services' *(IDORS) Independent Living Advisory Council's *(ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 3

Identifying minority (racial) persons with disabilities and assuring independent living services are satisfactorily achieved.

Objective 3

Minority Specialties have been designated.

Activity 2

"Each service provider will designate a staff person who is responsible for assuring that persons with disabilities who are a minority receive outreach and become users of services which are provided with appropriate cultural considerations."

This information is required with the submission of this application.

Minority Specialist
Position Title

Minority Specialist Name

DATE

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE VIII (SERVICES)

The Illinois Department of Rehabilitation Services' *(IDORS) Independent Living Advisory Council's *(ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 3

Identifying minority (racial) persons with disabilities and assuring independent living services are satisfactorily achieved.

Objective 3

Minority Specialists have been designated.

Activity 2

"Each service provider will have a written plan addressing full equal access based on their own local demographics for minority persons with disabilities which include outreach, cultural diversity, provision for foreign language interpreters, implementation process, and monitoring of plan. The plan shall include their written appeals policy and procedures to address discrimination complaints."

- Assurance that the Center will comply with this requirement
- required in this application.
- Plan must be developed by May, 1991.
- Plan must be achieved by October 1, 1996.

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE XI (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 3

Identifying minority (racial) persons with disabilities and assuring independent living services are satisfactorily achieved.

Objective C

All providers of independent living services which receive independent living funds document that consumers served are racial/minority members reflecting local demographics.

Activity 2

"Using comparisons between local demographics and data from their own CRM, each CIL will develop a plan to address the disparity between area racial population and those using the services including a process for monitoring the progress toward full implementation of the plan"

- Assurance that the Center will comply with this requirement
- required in this application.
- Plan must be developed by May 1, 1991.
- Plan must be achieved by October 1, 1996.

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE X (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective A

All CIL annual reviews confirm that specific training services, management services and leadership training services were conducted and attended by at least 75 percent of CIL staff and boards.

Activity 1

"All CIL boards will conduct an annual self-evaluation to determine local board strengths and weaknesses. Based on annual evaluations, board members will identify a training and recruitment plan."

First Plan must be developed and available for review by October 1, 1991, and annually thereafter.

CIL Responsible Official _____

DATE _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE XI (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective A

All CIL annual reviews confirm that specific training services, management services and leadership training services were conducted and attended by at least 75 percent of CIL staff and boards.

Activity 2

"Within the first quarter of each Federal Fiscal Year, boards will participate in training regarding, but not limited to, the

- parliamentary policy;
- policy and long-range goal setting;
- reviewing and evaluating organizational performance;
- fiscal and fundraising responsibilities; and
- board and staff relationships."

First Board training period begins October 1, 1991 through December 31, 1991.

CIL Responsible Official _____

DATE _____

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

ASSURANCE XII (SERVICES)

ASSURANCE XIII (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective A

All CIL annual reviews confirm that specific training services, management services and leadership training services were conducted and attended by at least 75 percent of CIL staff and boards.

All CIL annual reviews confirm that specific training services, management services and leadership training services were conducted and attended by at least 75 percent of CIL staff and boards.

Activity 3

"Each CIL (Executive Director or Designee) will conduct an annual evaluation review to determine the strengths and weaknesses of staff."

Activity 4

"Based on the evaluation review, the staff will identify and design a training (in-service, etc.) and recruitment plan."

First total staff Annual Evaluation Review completed by October 30, 1991.

First staff training plan completed by December 30, 1991 and updated annually.

CIL Responsible Official

DATE

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE XIV (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective A

All CIL annual reviews confirm that specific training services, management services and leadership training services were conducted and attended by at least 75 percent of CIL staff and boards.

Activity 5

"Within the first quarter of each Federal Fiscal Year, the training and recruitment plan will be complete for that year. This written plan will be kept on file in the CIL office."

First staff training plan and first quarter training activities will be completed by December 30, 1991 and annually thereafter.

CIL Responsible Official _____ DATE _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE XV (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective B

All CIL annual reviews confirm that 100 percent of all consumers and volunteers received an invitation to participate in specific training services, management services and leadership training services.

Activity 1

"Each CIL volunteer coordinator will conduct an annual assessment to determine the strengths, weaknesses and concerns of the CIL volunteers."

First Annual Assessment required to be completed by December 30, 1991 and updated annually.

CIL Responsible Official _____ DATE _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE XVI (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective B

All CIL annual reviews confirm that 100 percent of all consumers and volunteers received an invitation to participate in specific training services, management services and leadership training services.

Activity 2

"Based on that assessment the volunteer coordinator will work with the volunteers to:

- design a year's schedule of specific training programs and services; and
- design a year's schedule for a recruitment and new volunteer training program."

First schedule of training programs and services and first schedule for recruitment and new volunteer training program completed by December 30, 1991 and updated annually.

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

ASSURANCE XVII (SERVICES)

The Illinois Department of Rehabilitation Services' (IDORS) Independent Living Advisory Council's (ILAC) Five Year State Plan on Independent Living, which has been accepted and endorsed by the Director of the Department of Rehabilitation Services, requires each Center for Independent Living (CIL) receiving funding from this Department to provide certain assurances regarding activities which will be undertaken by each CIL and philosophical principles under which the CIL must operate.

Goal 4

Providing leadership and management training services for CIL staff, boards, volunteers and consumers.

Objective B

All CIL annual reviews confirm that 100 percent of all consumers and volunteers received an invitation to participate in specific training services, management services and leadership training services.

Activity 3

"Within the first quarter of the Federal Fiscal Year, the comprehensive training program (new volunteer training, specific training programs and services, the schedule for assuring all volunteers and potential volunteers receive information) will be published and kept on file in each CIL."

First comprehensive training program completed by December 30, 1991 and updated annually.

CIL Responsible Official

DATE

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Section *885.APPENDIX F CIL Continuation Grant Application (IL 488-1769)

APPLICATIONS FORMS
AND
INSTRUCTIONS
FORGRANTS
TO CONTINUE CENTERS FOR
INDEPENDENT LIVING

(This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under 29 USC 701-741. Disclosure of this information is REQUIRED. Failure to provide any information will result in this form not being processed. This form has been approved by the Forms Management Center).

IL: 488-1769 (3/87)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CONTINUATION APPLICATION

Funding for Each Center for Independent Living applying for continuation will be based upon the following:

- (1) total state and federal dollars available to the Department of Rehabilitation Services; and
 - (2) by the rating the CIL received on the Compliance Review report.
- It is important that all directions in this application be followed to avoid having to write separate applications for each funding source. Separate contracts will be established for Title VII-Part A and GRF Match and General Revenue.

The completed application must include the following material in the exact order in which it is listed:

- Cover Page
- Table of Contents
- Section I - Program Narratives (applicable to all funds) Goals, Objectives, and Activities for the period 10/1/90 to 9/30/91. This Section must include a goal, objective(s) and activities on each area listed below:
 - Community Impact (Systems Advocacy);
 - Long Range Planning;
 - Services (Individual) Core Services must be included;
 - Development and Fundraising Activities; and
 - Financial and Compliance Audit Recommendations.
- Section III - Budget Summary (separate budgets required for: GRF and Title VII Part A/Match GRF);
- Section IV - Appendix which includes:
 1. Other Assurances (17)
 2. 501(c)(3) - either a copy of the certificate, a copy of the letter from the Internal Revenue Service (Federal) exempting the CIL from taxation under the income tax provisions of the Internal Revenue Service Code or a copy of the application for this status.
 3. Staff Justification - identify each staff position by title (current and projected) and justify the need for the position. New staff positions must show anticipated start date.
 4. Job descriptions for each current and projected employee. (If six staff positions are budgeted, there should be six job descriptions).
 5. organizational Chart
 6. Attach a page to the budget which identifies each staff position title, the person's name filling

DEPARTMENT OF REHABILITATION SERVICES

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that position the exact dollar amount from each funding source which accounts for the total salary and the total percent of time each employee will commit to the grant. A form is provided for this information. The total of individual salaries must equal the total requested for personnel for all funds.

Explanation of Section Material

1. Cover Page - Self-explanatory
2. Table of Contents - by Section number and page number.
Example: Section I - Program Narrative 1-3
Section II - Goals & Activities 4-14 etc.
3. Section I - Program Narrative - This narrative must not exceed five double spaced typewritten pages. Briefly describe the program, plan of operation, who is served, expected outcomes and benefits to consumers served, geographic scope of project and community impact. Be concise.
4. Section II - Goals, Objectives and Activities - you must include a goal with objectives and activities for each of the following areas:
 - Community impact (Systems Advocacy);
 - Long Range Planning;
 - Services (Individual) - must include the four mandated and all others provided by your Center;
 - Development and Fundraising Activities - must include a projected total dollar amount to be raised; and
 - Financial and Compliance Audit Recommendations.Goals, Objectives and Activities must be written in measurable terms. This section represents the Center's plan for the next 12 month period. The following format must be used:

Example

Goal:

xxXXXX.

Objective:

xxXXXX.

Activities:

xxXXXX.

Status Report

xxXXXX.

Under each activity leave a space for the status report on that activity. This will reduce your time in preparing your annual goals and objectives report.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

Section III

Budget

The number of budgets developed is dependent on the sources of funding. Those Centers receiving Title VII-Part A alone or General Revenue Match and Title VII-Part A in combination and straight General Revenue will need to complete two budgets. Those receiving only General Revenue will complete only one budget. Be sure to show (in the total column only) the amounts budgeted for each individual CUSAS code. Refer to the manual entitled, "Contract Management manual," revised edition January 1989, if there are questions.

The only detail sheet still in use is the Equipment Detail Sheet. It has been revised to correspond to the separate budgets. In purchasing equipment, do not split the funding for any item of equipment in two or more budgets. For example, if the CIL is buying a computer for \$5,000 - account for its total cost in only one budget.

On the Equipment Detail Sheet list the item number, quantity, item description, unit cost, code (either 1510, 1515 or 1599) and funding sources. If equipment is budgeted with *GRF or Title VII B, attach the equipment detail sheet to this budget. The same is true for Title VII A. Add the dollar amount for equipment budgeted under GRF per code and transfer total to corresponding code on the budget summary sheet. Do the same for Title VII-A and GRF match.

In the "contractual" and "other" line items, there are no codes listed. Type in the description, the code and the total amount budgeted per code. The following examples will explain:

Budget Summary
Title VII A & *GRF Match

	A	Match	Total
Contractual	\$4800	\$400	\$5,200.00
Item			
Rent			\$2,000.00
Postage			\$1,500.00
Advertising			\$1,000.00
Audit/Bookkeeping			\$ 100.00
Legal Fees			\$ 600.00
Other	\$1600	\$1500	\$3,100.00
Telephone			\$1,000.00
Interpreters			\$ 600.00
Printing			\$1,000.00
Insurance			\$ 500.00

DEPARTMENT OF REHABILITATION SERVICES

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Budget Summary
Title VII B & General Revenue

	B	GRF	Total
Contractual	1200	\$10,800	\$10,800
Rent	1233		\$ 8,000
Postage	1261		\$ 1,500
Audit Bookkeeping	1242		\$ 900
Legal Fees	1244		\$ 400
Other	1700	\$1,900	\$ 1,900
Telephone	1721		\$ 1,000
Printing	1751		\$ 400
Insurance	1761		\$ 500

List all contractual sub items (sub items code 1200) under the contractual line item. List all other sub items (sub items coded 1700) under the other line item.

In accordance with OMB-Circular A-110, those Centers receiving federal funds are required to have a financial and compliance audit at the end of the contract period. CILs receiving only state dollars *(GRF) are required only to have a financial audit. Please budget funds for the audit applicable to you. At the bottom of the Budget Summary Sheet add up the totals per funding source and list under total direct cost and again under totals. Be sure and check figures for accuracy.

Budget Requirement

Specific budget justification is required for each coded subitem or CUSAS code. This requirement is applicable to all line items which include staff, fringe benefits, equipment, travel, commodities, contractual and other. The justification pages should follow the budget and must show specifically how you arrived at the amount budgeted and why this subitem is needed.

Example

Travel

(1291) - in state program - seven staff x 100 miles p/mo x .24 cents p/mile x 12 months = \$2,016. Staff require travel funds to deliver program to consumers.

Contractual

(1245) - Professional and Consultative - board trainer estimated 15 hrs x \$25 p/hr = \$375. A board training consultant is necessary to deliver training to our board of directors to strengthen our organization.

Other

(1780) - Interpreters - \$16 p/hr x 20 hrs p/mo x 12 months = \$3,840. Interpreters are required to deliver our deaf services program to consumers who are deaf.

Be advised that this is a continuing budget requirement which must be included as back-up to your budget.

Instructions

(1) Rounding

- To simplify processing please round to the nearest whole dollar.

(2) Duplication

- Make four (4) copies of the continuation application. The original must be sent to the DORS' Division of Independent living.

(3) Distribution

Original

- Department of Rehabilitation Services Division of Independent Living
623 East Adams Street
P.O. Box 19429
Springfield, Illinois 62794-9429

Copies to

- DORS/CIL Liaison
- DORS Regional Administrator
- retained by CIL

DEPARTMENT OF REHABILITATION SERVICES

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NOTICE OF ADOPTED RULES

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CENTER FOR INDEPENDENT LIVING
Application Budget Summary

Application Budget Summary				
Contractor	FEIN #	GRF	B	TOTAL
Line item/Sub item/Code				
Personnel				
#	1120			
Fringe				
FICA	1170			
Health Insurance	1180			
Unemployment Compensation	1185			
Workman's Compensation	1190			
Equipment	1500			
(Attach budget page)	1510			
	1515			
	1599			
Travel				
In-State Program	1291			
Consumer	1292			
Out of State Program	1293			
In-State Non-employee	1294			
Out of State Non-employee	1295			
Commodities				
Office/Program Supplies				
1304				

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

CENTER FOR INDEPENDENT LIVING
Application Budget Summary

Contractor _____ FEIN # _____

Federal 90/10

Line item/Sub item/Code A MATCH TOTAL

Personnel

1120

Fringe

FICA

1110

Health Insurance

1180

Unemployment
Compensation

1185

Workman's Compensation

1190

Equipment

1500

(Attach budget page)
(Attach budget page)

1510

1515

1599

Travel

In-State Program

1291

Consumer

1292

Out of State Program

1293

In-State Non-employee

1294

Out of State
Non-employee

1295

Commodities

DEPARTMENT OF REHABILITATION SERVICES

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Office/Program Supplies
1304

1304

Contractual

1200

Other

1700

Total Direct Costs:

Indirect Costs:

Total Costs:

ILLINOIS REGISTER

DEPARTMENT OF REHABILITATION SERVICES

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Round to nearest whole dollar
* Total % of time committed to grant

STAFF SALARY DETAIL

FUNDS

Position Title	Staff Name	A	Match	B	GRF	VR 110	Total	Other Funds	*Total %
----------------	------------	---	-------	---	-----	--------	-------	-------------	----------

Total Staff Total Funds

FRINGE BENEFIT DETAIL

Position Title	Staff Name	A	Match	B	GRF	VR 110	Other Funds	*Total
----------------	------------	---	-------	---	-----	--------	-------------	--------

Total Staff Total Funds

ILLINOIS REGISTER

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

REGIONAL ADMINISTRATORS

REGION 1
Mr. Michael Young
Department of Rehabilitation Services
202 East Main Street
Marion, Illinois 62959

REGION 2
Mr. Dean Hale
Department of Rehabilitation Services
2416 West Springfield Avenue
Champaign, Illinois 61820

REGION 3
Mr. Jim Scolari
Department of Rehabilitation Services
R.R. #2, 308 North 30th Road
LaSalle, Illinois 61301

REGION 4
Ms. Eleanor Murdock
Department of Rehabilitation Services
9730 South Western Avenue, Suite 804
Evergreen Park, Illinois 60642

REGION 5
Ms. Betty Butler
Department of Rehabilitation Services
100 West Randolph, Suite 8-100
Chicago, Illinois 60601

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Closure
- 2) Code Citation: 89 Ill. Adm. Code 617
- 3) Section Numbers: Adopted Action:
 617.20 Amendment
 617.50 Amendment
 617.55 Amendment
 617.60 Amendment
- 4) Statutory Authority: "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a), (b), and (k)).
- 5) Effective Date of Rule(s) (Amendments, Repealer): April 26, 1991
- 6) Does this rulemaking contain an automatic repeal date?
 ___ Yes X No
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 23, 1991
- 9) Notice of Proposal Published in Illinois Register:

June 15, 1990, 14 Ill. Reg. 9385
 (issue date)

- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? no If answer is "yes," please complete the following:

A) Statement of Objection: (issue date), Ill. Reg. _____

B) Agency Response: (issue date), Ill. Reg. _____

- C) Date Agency Response Submitted for Approval to JCAR:

- 11) Difference(s) between proposal and final version: In Section 617.20(a) and (b), changed "certificate" to "certification".
 In Section 617.20(a) and (b) changed "must" to "shall".
 In Section 617.55(b) added "(reviewed by the counselor)" at the end of the sentence after "plan" and changed "will" and "must" to "shall".

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENT

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- 15) Section Numbers Proposed Action Illinois Register Citation
Summary and Purpose of Rule(s): Section 617.20(a) and (b) are amended to add the requirement for a certification of eligibility to be signed and dated by the counselor. Section 617.50 is amended to include "or supervising" housework.
 Section 617.55(a)(1), (2) and (3) were deleted and "extended services" has replaced the term "ongoing support services". A definition of extended services is included. Section 617.60 is amended to state that a client must be working in a facility approved in accordance with 89 Ill. Adm. Code 530.50 to be considered a closure in sheltered employment.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 T.D.D.: (217) 782-5734

The full text of Adopted Amendment(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 617
 CLOSURE

Section	General Applicability
617.10	Determination of Closure
617.20	Criteria for Being Determined "Rehabilitated"
617.30	Closure as an Unpaid Family Worker
617.40	Closure as a Homemaker
617.50	Closure in Supported Employment
617.55	Closure in Sheltered Employment
617.60	Closure in a Work Activity Program
617.70	Vocational Outcome at Closure
617.80	Certification of Ineligibility
617.90	Client Participation in Closure Decision
617.100	Annual Review of Ineligibility Decision
617.110	

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a),(b), and (k))

SOURCE: Adopted at 9 Ill. Reg. 8776, effective June 10, 1985; amended at 11 Ill. Reg. 4032, effective February 18, 1987; amended at 12 Ill. Reg. 6959, effective April 1, 1988; amended at 12 Ill. Reg. 11498, effective June 22, 1988; amended at 12 Ill. Reg. 17090, effective October 11, 1988; amended at 12 Ill. Reg. 17957, effective October 24, 1988; amended at 15 Ill. Reg. 7347, effective April 26, 1991.

Section 617.20 Determination of Closure

Closure of an individual's case record shall be done any time in the Vocational Rehabilitation (VR) process when the counselor has determined that any of the following exists:

- a) the person has no disability, or no vocational handicap (89 Ill. Adm. Code 552) (annual review not required; requires opportunity for client participation in closure decision, written notification to client of closure and appeal rights (89 Ill. Adm. Code 510), and the counselor shall sign and date a certification of ineligibility).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- b) there is no reasonable expectation that VR services may benefit the individual in terms of employability (89 Ill. Adm. Code 552.30(a)(2)) (requires: annual review, opportunity for client participation in closure decision, written notification to client of closure and appeal rights, and an Individualized Written Rehabilitation Program (IWRP) amendment, if appropriate, and the counselor shall sign and date a certification of ineligibility).
- c) the person has refused services or further services, or has failed to cooperate (annual review not required; requires: opportunity for client participation in closure decision and written notification to client of closure and appeal rights).
- d) the person cannot be located, has moved out of state, has died, or is otherwise unavailable for services for an extended period of time, e.g. institutionalized or incarcerated, (annual review not required; requires IWRP amendment, if appropriate).
- e) the person's medical condition is rapidly progressive or terminal, i.e., unfavorable medical prognosis (annual review not required; requires: written notification to client of closure and appeal rights, and an IWRP amendment, if appropriate).
- f) the program of services has been completed and additional services are not required (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of closure and appeal rights, and an IWRP amendment).
- g) employment obtained without benefit of VR services (annual review not required; requires: written notification to client of closure and appeal rights, and an IWRP amendment, if appropriate).
- h) the person's service needs are outside the scope of VR service as contained in 89 Ill. Adm. Code: Chapter IV, subchapter b and are more appropriately provided by another agency (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of

DEPARTMENT OF REHABILITATION SERVICES

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closure and appeal rights and an IWRP amendment, if appropriate).

- i) the person did not meet order of selection criteria (89 Ill. Adm. Code 552.100) and did not express an interest in being placed on a waiting list for a later offer of rehabilitation services. The person must have been eligible, or presumably eligible, for services if the order of selection criteria had not been applied (annual review not required; requires opportunity for client participation in closure decision, written notification to client of closure and appeal rights).

- j) the provision of suitable transportation (89 Ill. Adm. Code 607.20) for the acceptance or maintenance of employment was either not feasible (e.g. too costly for the client to afford) or not available (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of closure and appeal rights and an IWRP amendment, if appropriate).

(Source: Amended at 15 Ill. Reg. 7347, effective April 26, 1991)

Section 617.50 Closure as a Homemaker

To be considered a rehabilitation closure as a homemaker, in addition to the criteria contained in Section 617.30, the VR services that were provided must have related directly to the client's performing or supervising housework required in the home.

(Source: Amended at 15 Ill. Reg. 7347, effective April 26, 1991)

Section 617.55 Closure in Supported Employment

- a) To be considered a rehabilitation closure in supported employment, in addition to the criteria contained in Section 617.30, the following requirements must be met:

-----a)-----The client must be:

-----i)-----an individual for whom competitive employment in an integrated work setting has not occurred, or

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

-----2)-----an individual for whom competitive employment has been interrupted or intermittent as a result of a severe disability; and

-----3)-----an individual who, because of his/her disability, needs ongoing support services as determined by the counselor's professional judgment as evidenced in the IWRP (89 Ill. Adm. Code 572-60) to perform such work.

-----b)-----the supported employment must be competitive work, i.e., averaging at least 20 hours per week for each pay period, by the time of closure in an integrated work setting (34 CFR 363.7(a)(2)(ii)) with on-going support extended services.

-----c)-----Definitions

-----For the purposes of this Section, the definitions of "integrated work setting" and "on-going support services" are those promulgated in 34 CFR 363-7(a) (2) (ii) and (iii); August 14, 1987, respectively. No later editions or amendments are included.

-----The definition of "severe disability" refers to an individual who has a physical or mental disability which seriously limits one or more functional capacities (i.e. mobility; communication; self-care; self direction; work tolerance or work skills) in terms of employability; and whose vocational rehabilitation services can be expected to require multiple vocational rehabilitation services over an extended period of time (6 months or more);

- b) DORS and the service provider shall develop an extended service plan which contains a description of extended services to be provided, the identity of the state, federal or private non-profit programs that shall provide the services, the client's comments on the extended service plan, and a review date for the plan (reviewed by the counselor). "Extended services" are those services necessary to support and maintain an individual following the termination of time-limited support services as specified on the client's IWRP (89 Ill. Adm. Code 572). (Time-limited support services shall be provided for no longer than 18 months from initial date of placement.) Extended services shall include job-related skills training

DEPARTMENT OF REHABILITATION SERVICES

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provided at least twice monthly on the work site. If the individual has a diagnosis of mental illness, the contacts may be for any job-related reason off the worksite.

(Source: Amended at 15 Ill. Reg. 7347, effective April 26, 1991)

Section 617.60 Closure in Sheltered Employment

To be considered a rehabilitation closure in sheltered employment (a not-for-profit work site paying minimum or below minimum wages for work of a non-competitive nature), in addition to the criteria contained in Section 617.30, the client must be working in a facility approved in accordance with 89 Ill. Adm. Code 530.50 at minimum wage or at below minimum wage as authorized by a certificate from the U.S. Department of Labor, and be offered at least 20 hours of paid employment per week, documented in the case file.

(Source: Amended at 15 Ill. Reg. 7347, effective April 26, 1991)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Financial Eligibility Criteria
- 2) Code Citation: 89 Ill. Adm. Code 687
- 3) Section Numbers: 687.100 Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch.23, par.3434(g)).
- 5) Effective Date of Amendments: April 25, 1991
- 6) Does this rulemaking contain an automatic repeal date?
Yes X No
- 7) Does this amendment contain incorporations by reference?
No
- 8) Date Filed in Agency's Principal Office: March 29, 1991
- 9) Notice of Proposal Published in Illinois Register:
June 1, 1990, 14 Ill. Reg. 8560
(issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? Yes If answer is "yes," please complete the following:
 - A) Statement of Objection: Sept. 28, 1990, 14 Ill. Reg. 16085
(issue date)
 - B) Agency Response: April 19, 1991, 15 Ill. Reg. 5921
(issue date)
 - C) Date Agency Response Submitted for Approval to JCAR: October 31, 1990
- 11) Difference(s) between proposal and final version:
Pursuant to comments by the Administrative Code Division, the following changes were made:

The Authority note was updated.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

Indent levels were corrected in subsections (h)(2) and (c)(2).

"89 Ill. Adm. Code 687.100(h)(2)" was changed to "subsection (h)(2)" in subsections (h)(5)(B) and (h)(7).

In subsection (1)(8), "Section 4(c)" was added to the Act referenced and the Ill. Rev. Stat. citation was changed from "67" to "67 1/2".

In response to JCAR objection, subsection (d)(1) was changed from "...deducted from the Client/Family Total Available Monthly Income." to "deducted from the recipient's share of the cost of services." in compliance with Section 3(g) of "AN ACT in relation to rehabilitation of services to persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3434(g)).

Pursuant to agreements made with JCAR staff, the following changes were made:

Semi-colons were added after each phrase in Sections 687.100(1)(1, 2, 3, 4, 5, 7, 8, 9(c), 10, 11, 12, 13, 14, and 15).

The statutory citation in Section 687.100(1)(8) was updated to read, "Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act" (Ill. Rev. Stat. 1989, ch. 67 1/2, par. 404(c)).

The period after "Amended" in Section 687.100(1)(15) was stricken.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule(s) currently in effect? No

14) Are there any amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

15) Summary and Purpose of Rule(s): DORS clients' protected income level has been increased to reflect changes in the Consumer Price Index for all Urban Consumers as determined

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

by the U.S. Department of Labor. (Section 687.100(c)) DORS shall deduct from the recipient's share of the cost of services any monies expended by the recipient for disability related expenses. (Section 687.100(d))

Subsections 687.100(h)(2)(D), 687.100(h)(5) and (6) and 687.100(k)(1) and (2) are being deleted, having been determined to be obsolete.

16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

The full text of Adopted Amendments begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 687
FINANCIAL ELIGIBILITY CRITERIA

Section	Applicability
687.10	Income
687.200	Assets

AUTHORITY: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, Ch. 23, par. 3434(g)).

SOURCE: Adopted and codified at 7 Ill. Reg. 8877, effective July 18, 1983; amended at 11 Ill. Reg. 7404, effective April 1, 1987; amended at 11 Ill. Reg. 7743, effective April 1, 1987; amended at 11 Ill. Reg. 11807, effective July 1, 1987; amended at 15 Ill. Reg. 7354, effective April 25, 1991.

Section 687.100 Income

a) For all determinations of income, consider only non-exempt income, where the non-exempt income is actually received. Non-exempt income may be earned or unearned.

b) Income for Eligibility Purposes

There is no income eligibility for the Home Services Program (HSP).

c) Income for Cost Sharing Purposes

1) The non-exempt income of clients and their legally responsible relatives as defined in 89 Ill. Adm. Code 687.100 (e) and (f) shall be applied to the following Family Income Table:

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Family Size: 1 2 3 4 5 or more

Protected

Monthly

Income: \$426--\$639-\$722-\$805 add \$83

\$524 \$786 \$888 \$990 102 for each additional person

2) The protected income level shown in the Family Income Table is considered to be necessary to meet the client and family needs. Non-exempt income above this amount is considered Excess Income which is available to meet some or all of the service needs of the client on the basis of the cost sharing formula. The income of family or others who are not considered legally responsible relatives or dependents is not considered.

d) Client Cost Sharing Formula

1) Clients who are determined to have Excess Income must participate in the cost of HSP services and sign a Cost Share Agreement (IL 488-0326). The cost share amount is 25% of the client's Excess Income. However, if a client is receiving HSP services prior to July 1, 1987, and if his/her cost share amount is less than 25% of Excess Income, that percentage of Excess Income shall remain unchanged when determining the cost share dollar amount in subsequent annual reassessments. Client-only disability related expenses paid out of pocket are deducted from the recipient's share of the cost of services. Disability related expenses include prescription drugs, supplies, assistive equipment, and hospital/medical bills.

2) The client cost share is to be paid directly by the client to the designated service provider(s) in the HSP service plan, who must also sign a Cost Share Agreement, where it is the responsibility of the service provider to secure the designated cost share amount from the client. The service provider retains the right

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to refuse to provide services if the client has failed to pay the cost share amount but the service provider should first request the assistance of local office staff in securing this payment.

- 3) If the amount of cost sharing exceeds the service cost, a client remains eligible, if he or she desires to receive indirect services through HSP local office staff such as assistance in locating service providers, or assistance in applying for benefits of other programs. However, HSP shall pay for direct services only in the amount of the HSP service cost minus the client cost share.

- 4) Since the HSP service cost is based on a service plan that is designed to meet only the essential client needs for remaining in the home rather than in a nursing home or other institution, the total service plan must be provided. If a client fails to participate in required cost sharing, the client's health and well-being may be jeopardized. HSP cannot unnecessarily undertake the responsibility or liability for clients who do not cooperate in this manner. Therefore, if a client fails to cost share in the prescribed manner, the following actions may occur:

- A) The client's service provider may cease providing services due to lack of payment, in which case they will notify the local office staff. Since the location of a service provider is essential to the provision of HSP services, if another service provider cannot be located, the case will be closed.

- B) The client's service provider may provide only those services paid by HSP. HSP local office staff will review the service plan to determine if it represents only essential service needs. If it does not, it will be revised and a new client cost share amount will be required. In addition, client and family income will be reviewed for accuracy, and local office staff will provide the client with the counseling necessary to elicit client cooperation in the cost sharing plan.

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- C) If the client's health and well being is are jeopardized by the continued client or family failure to participate in cost sharing, the client's physician will be consulted to determine if HSP service provision can continue to be certified by the physician. If the physician no longer certifies HSP care, the case will be closed.

- 5) The cost share amount will be calculated only at the following times:

- A) presumptive eligibility determination;
 - B) initial formal eligibility determination;
 - C) formal eligibility redetermination at least annually (see 89 Ill. Adm. Code 698.100 for frequency of redeterminations); and
 - D) change of financial eligibility.
- 6) The cost share amount can never exceed the cost of services provided in a given month.
- 7) All changes of the cost share amount require a new Cost Share Agreement.

e) Definition of Legally Responsible Family

- 1) Legally responsible relatives are defined as the spouse, or the parents for children through age 20. These relatives must reside with the client unless the client is a student.

- 2) Do not count parent's income for dependents 21 years of age or older. Parents are not considered legally responsible relatives for children who are age 18 or above who have established "independent living arrangements." An "independent living arrangement" is the establishment of a separate residence. It may also include children who reside in the same household with their parents but who contribute more than one-half of their cost of housing, food and other expenses.

- 3) Students, defined under 89 Ill. Adm. Code 101.20, are not considered to have an independent living

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arrangement unless the parents contribute less than half of the educational and living costs of the students.

- 4) In certain situations, a client's parents may be legally responsible for the client but the client also has his own dependents (spouse/children) for whom the client is legally responsible, but for whom the client's parents are not legally responsible.

f) Definition of Family Size

- 1) Family size includes the client's spouse and children, if living together, OR or client's parents and siblings if parents are considered legally responsible relatives and are living with the client.
- 2) A client's children are included only through age 20 and are not included if they are age 18 and they have established an independent living arrangement; a client's siblings are included only if parents are considered the client's legally responsible relatives AND the siblings are under age 21 and have not established an independent living arrangement.

- 3) Where the client has parent(s) who are legally responsible for the client, and also has the client's own spouse/children for whom client's parents are NOT not responsible, two different family sizes are involved: that of the client's parents/siblings; and that of the client and his spouse/children. For purposes of cost sharing, the income and size of each of these family units is used to determine two different cost share amounts, both of which the client or his authorized representative (see 89 Ill. Adm. Code 683.700(a)) is responsible to pay. However, the client's income is included only with that of the spouse/children.

g) Income Determination

Monthly earned and unearned income of a client is determined at the time of initial and continuing eligibility determinations on the basis of income anticipated to be received during the 12 month

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eligibility period. This amount is determined by calculating the average monthly non-exempt earned income received by the client in the prior four month period, or if the averaged monthly income is at variance with the income expected to be received, on the anticipated income as reported by the client and documented or verified. All income is to be converted into monthly amounts.

h) Non-Exempt Earned Income

- 1) Earned income is remuneration acquired through the receipt of salaries or wages for services performed as an employee or profits from an activity in which the individual is self-employed.
- 2) The following recognized expenses of employment shall be deducted from gross earned income to determine Non-Exempt Earned Income:

A) Withholding taxes (Federal and State);

B) Social Security tax;

C) Transportation by the most economical means, not to exceed a cost of 19 24 cents per mile; shall be allowed as transportation expense

D) Lunch supplementation:

-----if carried from home, 15 cents per working day to a maximum of 3.00 per month;

-----if purchased at work, 45 cents per working day to maximum of \$9.00 per month

DE) Special tools and uniforms required by employment;

EF) Union dues;*

FG) Group life insurance premiums; *

GH) Group health insurance premiums; * and

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HI---Retirement plan withholding. *

AGENCY NOTE:

- * Only if mandatory as a condition of employment

3) When the individual is self employed, accurate and complete records shall be kept on all monies received and spent through self-employment. If the individual fails or refuses to maintain complete business records, the client shall be ineligible for HSP.

A) Business expenses shall be documented or verified. The individual shall have full responsibility for proof of any business expense. No deduction shall be allowed for depreciation, obsolescence and/or similar losses in the operation of the business. Gross income from the business shall be turned back into the business only to replace stock actually sold.

B) The net income shall be the gross remaining after the replacement of stock and business expenses have been considered, and the appropriate employment expenses have been deducted. The earned income exemption, if applicable, shall be computed on the net income.

4) Money paid by roomers and/or boarders to an individual who represents himself as being self-employed in the business of renting rooms shall be considered earned income.

5)---The following monthly expenses shall be allowed as deductions for a boarder:

-----A)---Replacement of towels and bed linen---\$1.50;

-----B)---Laundry---55-cents-for-additional-supplies when the recipient launders the linen; or the roomer's per capita cost when laundry is done commercially;

-----C)---Food---if the roomer and boarder receives public assistance; the allowance is the

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appropriate; the allowance is the appropriate published standard plus 25% of that standard; where the published standard is \$135/month for Cook, DuPage, Kane and Lake counties; and \$127/month for all other counties.

-----6)---The applicable earned income exemption (see 89 III. Adm. Code 687.100(k)) shall be the only deduction allowed for a roomer.

57) Income which a client receives from rental property which he owns shall be considered earned income if the management of the property is through the client's own efforts rather than through the efforts of another person or agency.

A) When determining net income, the reasonable and necessary rental expenses which the client incurs in the production of income may be deducted from the gross income. Reasonable and necessary rental expenses include repairs, taxes, insurance, mortgage payments, and utilities, if the landlord pays them.

B)---if a client is responsible for cleaning a room and providing clean linens, the income which he receives shall be considered earned income from a boarder rather than earned income from rental property.

BE) After deduction of rental expenses, appropriate employment expenses (see subsection 89-III-Adm.-Code-687.100 (h)(2)) shall be deducted to determine net rental income.

68) The following payments from the Illinois Department of Children and Family Services shall be considered Non-Exempt Earned Income:

A) Foster care intensive service for payment;

B) Foster care monthly retainer for payment;

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- C) Adoption subsidies; and
- D) Independent living arrangement payments to wards not living in foster homes.

79) Income received by individuals enrolled in on-the-job training programs through the Comprehensive/Employment/and/Training/Act/(CETA) Job Training Partnership Act (JTPA), 29 U.S.C. 801 et seq., work experience programs through CETA/JTPA, and Public Service Employment programs through CETA/JTPA shall be considered earned income. The recognized employment expenses (see 89/II/Adm/Code/87/100 subsection (h)(2)) shall be deducted, and certain earnings (see 89 Ill. Adm. Code 687.100 Kk(4)) shall be exempt, but all remaining earnings shall be considered non-exempt.

810) Income from Earned Income Credit is considered earned income.

i) Non-Exempt Unearned Income

Unearned income is all income other than that received in the form of salary for services performed as an employee or profits from self-employment. The following unearned income is non-exempt:

- 1) All currently available unearned income which is not specified as exempt shall be considered non-exempt.
- 2) Earmarked income is income restricted for the use of a specified individual by court order, or by legal stipulation of a contributor. Earmarked income shall be considered available only for the needs of the specified individual.
- j) Protected Income

Supplemental Security Income (SSI) is protected income and is not included in Non-Exempt Income. An SSI lump sum payment is exempt income. The monies must be separately identifiable to be exempt.
- k) Exempt Earned Income

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1) For aged and disabled clients, excluding those who are legally blind, the first \$20 of gross earned income plus one-half of the next \$60 shall be exempt.

2) For legally blind clients, the first \$88 of gross earned income plus one-half of the amount in excess of \$88 shall be exempt.

13) Earned Income In-kind

A) Earned income in-kind is remuneration received in a form other than cash for services performed. Such remuneration shall include, but is not limited to, housing, food (except meals provided while working), satisfaction of a debt, or a service provided by the employer for the employee.

B) Earned income-in-kind shall be exempt.

24) Income received under the following four CETA JTPA Programs established by the Youth Employment and Demonstration Projects Act of 1977 (29 U.S.C. 802, 803, 845, 872, 891 et seq., 962, 968, 981, and 993 et seq.) is exempt:

- A) The Youth Incentive Entitlement Pilot Projects;
 - B) The Youth Community Conservation and Improvement Project;
 - C) The Youth Employment Training Programs; and
 - D) The Youth Adult Conservation Corps
- 1) Exempt Unearned Income

- 1) The value of the coupon allotment under the Food Stamp Act of 1977 (7 U.S.C. 2017(b));
- 2) The value of the U.S. Department of Agriculture donated foods (surplus commodities);
- 3) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636);

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- 4) Any per capita judgment funds paid under P.L. 92-254 to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana (25 U.S.C. 1264);
- 5) Any benefits received under Title III, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended (42 U.S.C. 3030e);
- 6) Any compensation provided to individual volunteers under the Retired Senior Volunteer Program and the Foster Grandparent Program and Older Americans Community Service Programs established under Title II of the Domestic Volunteer Service Act, as amended (42 U.S.C. 5001 et seq.);
- 7) Income in an amount not greater than \$650 received by a beneficiary of life insurance which is expended on the funeral and burial of an insured recipient;
- 8) Income received under the provisions of Section 4(c) of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act ~~the Illinois Senior Citizens and Disabled Persons Property Tax Relief Act~~ (Ill. Rev. Stat. 1989, ch. 67 1/2, par. 404 (c)). This includes both the benefits commonly known as the "circuit breaker" and "additional grants";
- 9) Payments to volunteers under the 1973 Domestic Volunteer Service Act. (48 U.S.C. 5044 (q)) These include:
 - A) Volunteers in Service to America (VISTA) Volunteers;
 - B) Volunteers serving as senior health aids, senior companions, or foster grandparents;
 - C) Persons serving in the Service Corps of Retired Executives (SCORE) or the Active Corps of Executives;
- 10) Social Security death benefit expended on a funeral and/or burial;

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- 11) The value of home produce which is used for personal consumption;
- 12) The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended, (42 U.S.C. 1780 (b)) and the special food service program for children under the National School Lunch Act, as amended. (42 U.S.C. 1760);
- 13) Any payments distributed per capita or held in trust for members of any Indian Tribe under P.L. 92-254, 93-134 or 94-450. (25 U.S.C. 1470);
- 14) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1626);
- 15) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437 (f));
- 16) That portion of an educational benefit, including but not limited to grants, scholarships or work-study, which is actually used for items such as tuition, books, fees, equipment, and transportation, necessary for school attendance shall be exempt.
 - A) Veterans of Educational Assistance

Income from educational benefits paid to a veteran or to a dependent of a veteran shall be exempt only to the extent that it is applied toward educational expenses.
 - B) Social Security Administration (SSA) Benefits

Income received as an SSA benefit paid to or for an individual and conditioned upon the individual's regular attendance in a school, college or university, or a course of vocational or technical learning, shall be exempt to the extent that it is applied toward educational expenses.
 - C) Loans and Grants

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Income from educational loans and grants obtained and used under conditions that preclude their use for current living costs shall be exempt.

- 17) Income from educational loans and grants made or insured under any program administered by the Federal Commissioner of Education is totally exempt whether the grant is paid directly to the schools or to the student. These loans and grants include the National Direct Student Loans, Basic Educational Opportunity Grants, Supplementary Educational Opportunity Grant, Work Study Grant, and the Guaranteed Loan Program.

- 18) The following incentive allowances shall be exempt:

A) National Training Services Grant

Incentive payments which the Department of Rehabilitation Services (DORS) authorizes to be paid to disabled persons receiving categorical Public Assistance and enrolled in the National Training Service Project.

B) Comprehensive/employment/and/training/act (CETA)/program Job Training Partnership Act (JTPA)

Incentive payments of thirty dollars per week to clients enrolled in CETA JTPA training programs.

- 19) Unearned Income in-kind is payment made by an individual on behalf of or in the name of the client, and shall be exempt. When the client shares a dwelling unit with another family or individual(s), the exchange of cash for the purposes of satisfying payment of shelter related obligations shall not constitute an income in-kind payment and shall not be considered available to meet the needs of the person who receives and disburses the shelter-related payment.

(Source: Amended at 15 Ill. Reg. 7354, effective April 25, 1991)

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- 1) Heading of the Part: Medical, Psychological, and Related Services

- 2) Code Citation: 89 Ill. Adm. Code 587

3) Section Numbers:Adopted Action:

587.105	New Section
587.106	New Section
587.107	New Section
587.110	Amendment
587.111	New Section
587.120	Amendment

- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch.23, pars. 3434(a), (b) and (k)).

- 5) Effective Date of Rule(s) (Amendments, Repealer): April 30, 1991

- 6) Does this rulemaking contain an automatic repeal date?

___ Yes X No

- 7) Does this rule (amendment, repealer) contain incorporations by reference? Yes. Sections 587.110(a) and 587.111(a)(2)

- 8) Date Filed in Agency's Principal Office: April 23, 1991

- 9) Notice of Proposal Published in Illinois Register:

July 20, 1990, 14 Ill. Reg. 11736
(issue date)

- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? no If answer is "yes," please complete the following:

A) Statement of Objection: _____, Ill. Reg. _____
(issue date)

B) Agency Response: _____, Ill. Reg. _____
(issue date)

C) Date Agency Response Submitted for Approval to JCAR:

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11) Difference(s) between proposal and final version:

Pursuant to discussions with the Joint Committee regarding the above-referenced rulemaking, DORS has agreed:

1. To add "and the Hearing Aid Protection Code (77 Ill. Adm. Code 682)" at the end of Section 587.105.
2. To change "must" to "shall" in Sections 587.107(b), 587.111(a) and (b), and 587.120.

Pursuant to comments from the Administrative Code Division, DORS:

1. Removed citations from Section 587.110(b) as they were already cited in Section 587.105.
 2. Removed citation from Section 587.120(c) as it was already cited previously.
 3. Ill. Rev. Stat. citations were updated to 1989 version.
- In response to public comments, DORS made the following changes.

1. Section 587.105 - The statutory citation was updated and we named the act cited "Hearing Aid Act" for later reference purposes.
2. Section 587.106 and 587.107 - Added at the request of the Illinois Hearing Aid Society (IHAS) and the Illinois Speech Language-Hearing Association (ISHA) to clearly delineate the kinds of evaluations involved for hearing impaired clients. These sections reference appropriate mandates and state who may do each evaluation.
3. Section 587.110 - Reworded to deal only with hearing aid evaluations instead of mixing with hearing evaluations. This change was made with IHAS and ISHA concurrence.
4. Section 587.111 - Added with concurrence of ISHA and IHAS to deal exclusively with the vendor requirements for hearing or hearing aid evaluations.
5. Section 587.120 - Amended with the concurrence of ISHA and IHAS to more clearly tie the use of binaural aids to a client's vocational need and ability to use

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binaural aids. This new wording brings the section in line with current thinking.

6. In Section 587.107 (a)(2) reference was changed from "Audiology Act" to "Protection Act".
7. In Section 587.110 (a), the ANSI standard reference was changed to §3.6 - 1989.
8. In Section 587.111 (a)(2), a specific ANSI standard reference was made. It's §3.1 - 1977.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule(s) currently in effect? No

14) Are there any amendments pending on this Part: No

Citation	Section Numbers	Proposed Action	Illinois Register
15) Summary and Purpose of Rule(s):	The Amended and new Sections bring DORS into compliance with the Hearing Aid Consumer Protection Act.		
16) Information and answers to questions regarding this adopted rule shall be directed to:			

15) Summary and Purpose of Rule(s): The Amended and new Sections bring DORS into compliance with the Hearing Aid Consumer Protection Act.

16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 T.D.D.: (217) 782-5734

The full text of Adopted Amendment(s) begins on the next page:

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TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 587

MEDICAL, PSYCHOLOGICAL, AND RELATED SERVICES

Section	
587.10	General Applicability
587.20	Criteria for Medical Services
587.30	Exclusion from Medical Services
587.40	Written Recommendations from Physicians
587.50	Medical Service Providers
587.60	Treatment for Acute Conditions
587.70	Medication
587.100	Ear Examinations (Repealed)
587.105	Payment for Hearing Aids
587.106	Medical Evaluations
587.107	Hearing Evaluations
587.110	Hearing Aid Evaluations
587.111	Vendor Requirements for Hearing Evaluations and Hearing Aid Evaluations
587.120	Binaural Hearing Aids
587.130	Speech and Language Services
587.200	Low Vision Aids
587.300	Mental Restoration Services
587.400	Heart Surgeries
587.410	Intestinal By-Pass or Stapling Surgery
587.420	Abortions
587.430	Transsexual Surgery
587.440	Organ Transplants
587.450	Chiropractic Services
587.500	Prosthetic or Orthotic Devices
587.510	Wheelchairs
587.600	Experimental Stage Therapeutic Devices or Procedures

AUTHORITY: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a), (b), and (k)).

SOURCE: Adopted at 9 Ill. Reg. 8813, effective June 10, 1985; amended at 10 Ill. Reg. 13671, effective August 4, 1986; amended at 11 Ill. Reg. 5309, effective March 11, 1987; amended at 12

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Ill. Reg. 15621, effective September 16, 1988; amended at 13 Ill. Reg. 1850, effective January 27, 1989; amended at 14 Ill. Reg. 6785, effective April 20, 1990; amended at 15 Ill. Reg. 7370, effective April 30, 1991.

Section 587.105 Payment for Hearing Aids

Payment for hearing aids is contingent upon providers fitting and dispensing hearing aids in accordance with the requirements set forth in the Hearing Aid Consumer Protection Act (Ill. Rev. Stat. 1989, ch. 111, par. 7401 et seq.) ("Hearing Aid Act") and the Hearing Aid Protection Code (77 Ill. Adm. Code 682).

(Source: Added at 15 Ill. Reg. 7370, effective April 30, 1991.)

Section 587.106 Medical Evaluations

Before DORS will purchase a hearing aid for a client, the client must have a statement signed by a licensed physician that the client has been medically evaluated and may be considered a candidate for a hearing aid, in accordance with section 4 of the Hearing Aid Act (Ill. Rev. Stat. 1989, ch. 111, par. 7404). The client, if 18 years of age or older, may waive in writing the right to such statement.

(Source: Added at 15 Ill. Reg. 7370, effective April 30, 1991.)

Section 587.107 Hearing Evaluations

a) For purposes of this Section, a DORS counselor may request a hearing evaluation for two distinct purposes:

- 1) in conjunction with the diagnostic process needed to confirm the existence of a hearing loss, hearing disability or medical etiology associated with the ear, or
- 2) in conjunction with a hearing aid evaluation pursuant to Section 587.110 and also Subpart C of the Hearing Aid Consumer Protection Code (77 Ill. Adm. Code 682.300 et seq.) ("Protection Act").

b) If a hearing evaluation is required for subsection (a)(1) above, it shall be conducted by a person

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licensed pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 7901 et seq.) ("Audiology Act").

c) If a hearing evaluation is required for subsection (a)(2) above, it shall be completed by either:

- 1) a person licensed pursuant to the Audiology Act; or
- 2) a person licensed pursuant to the Hearing Aid Act.

d) For a hearing evaluation referenced in subsection (a)(2) above, the evaluation consists of:

- 1) air and bone conduction testing;
- 2) speech reception threshold;
- 3) speech discrimination;
- 4) most comfortable loudness level; and
- 5) uncomfortable loudness level.

e) If any additional testing not included in subsection (d) is required, the examination will be considered a hearing evaluation pursuant to (a)(1) above.

(Source: Added at 15 Ill. Reg. 7370, effective April 30, 1991.)

Section 587.110 Hearing Aid Evaluations

A hearing aid evaluation by an audiologist who has passed the American Speech-Language-Hearing Association's (ASHA) Certificate of Clinical Competence (CCC) in Audiology is required for all clients for whom a hearing aid has been recommended to evaluate which hearing aid will work best for the client.

a) For purpose of this Section, a hearing aid evaluation means the selection, fitting, adoption and service of a hearing aid and includes testing of hearing by means of an audiometer properly calibrated to American

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National Standard Institute standards (ANSI S3.6-1989, with no later editions or amendments) and other testing allowed pursuant to Subpart C of the Protection Code.

b) When a hearing aid evaluation is recommended (e.g., by a licensed physician, licensed audiologist or licensed hearing aid dispenser), the evaluation shall be completed by either:

- 1) a person licensed pursuant to the Audiology Act; or
- 2) a person licensed pursuant to the Hearing Aid Act.

(Source: Amended at 15 Ill. Reg. 7370, effective April 30, 1991.)

Section 587.111 Vendor Requirements for Hearing Evaluations and Hearing Aid Evaluations

a) Vendors pursuant to Section 587.107 and Section 587.110 not approved prior to the effective date of this Section, shall be approved by the Manager, or designee, Division of Services for the Hearing Impaired. Minimum requirements for approval are:

- 1) testing must be conducted within an acoustically treated suite;
- 2) the maximum allowable ambient noise levels during audiometric testing must be at or below that set out by the American National Standards Institute (ANSI S3.1-1977); and
- 3) the vendor must be able to do testing both with ear phones and in a sound field (any test environment in which auditory stimuli are presented via a calibrated audiometer through one or more loudspeakers).

b) If a vendor is a person licensed pursuant to the Hearing Aid Act, in addition to requirements set out in subsection (a) above, there shall be a minimum 30

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day free trial period for hearing aid purchases by DORS.

(Source: Added at 15 Ill. Reg. 7370, effective April 30, 1991)

Section 587.120 Binaural Hearing Aids

a)---A determination to purchase a binaural hearing aid must take into consideration the client's need based on the vocational goals established in the client's IWRP and recommended by the client's physician to:

-----1) identify source and direction of speech or

-----2) increase discrimination ability.

-----b)---If subsection (a) (1) is the case, the majority of communication in which the client will be involved in at work must occur within a group of 10 or more and the client must report significant improvement in hearing after a 30 day trial period with the hearing aid.

-----c)---If subsection (a) (2) is the case, there must be a difference in discrimination scores as reported by an audiologist of 10% for binaural (two aids) testing compared to monaural (one aid) testing. Also, the best aided discrimination ability must be at least 70%.

A DORS counselor shall make the determination whether or not to purchase binaural hearing aids. Such determination will be based on the following:

- a) the client's vocational goals established in the Individualized Written Rehabilitation Program (IWRP)(89 Ill. Adm. Code 572);
- b) the client's audiologic profile (Section 587.107(d); and
- c) the client's ability to effectively utilize binaural hearing aids by improved discrimination ability and/or increased ability to identify the source and direction

of sound, which may be determined either by a person licensed pursuant to the Hearing Aid Act or a person licensed pursuant to the Audiology Act.

(Source: Amended at 15 Ill. Reg. 7370, effective April 30, 1991)

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENT(S)

- 1) The Heading of the Part: The Administration and Operation of the State Employees' Retirement System of Illinois
- 2) Code Citation: 80 Ill. Adm. Code 1540
- 3) Section numbers:
1540.330
- 4) Statutory Authority: Ill. Rev. Stat. 1989, Ch. 108 1/2 par. 14-135.03
- 5) Effective Date of Amendment(s): April 26, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 15, 1991
- 9) Notices of Proposal Published in Illinois Register: November 26, 1990 14 Ill. Reg. 18712
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences(s) between proposal and final version: In Section 1540.330(b) the "p" in "parkway" is capitalized.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter by JCAR? Yes.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on the Part? No
- 15) Summary and Purpose of Amendment(s): This amendment updates the rules to reflect our current address.
- 16) Information and questions regarding this adopted amendment(s) shall be directed to:

Name: Michael L. Mory, Executive Secretary
State Employees' Retirement System of Illinois
Address: P.O. Box 19255 - 2815 West Washington Street
Springfield, Illinois 62794-9255
Telephone: 217-785-7444

The full text of the Adopted Amendments begins on the next page:

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE D: RETIREMENT SYSTEMS
CHAPTER 1: STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

PART 1540

THE ADMINISTRATION AND OPERATION OF THE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

Section	
1540.5	Introduction
1540.10	Appointment of Retirement System Coordinator
1540.20	Member's Contribution and Service Credit
1540.30	Determination of Rate of Compensation
1540.40	Prior Service Credit
1540.50	Credit for Service for Which Contributions are Permitted
1540.60	Severance of Employment - A Condition to the Payment of a Refund
	Retirement Annuity
1540.70	Death Benefits
1540.80	Disability Claims
1540.90	Benefit Offset
1540.100	Birth Date Verification
1540.110	Marriage Verification
1540.120	Level Income Option
1540.130	Pension Credit for Unused Sick Leave
1540.140	Removal of Children from Care of Surviving Spouse
1540.150	Proof of Dependency
1540.160	Investigations of Benefit Recipients
1540.170	Interest on Member Contributions
1540.180	Date of Application - Retirement Annuity, Occupational and Nonoccupational and Temporary Disability Benefits, and Resignation Refund Payments
1540.190	Lump Sum Salary Payments
1540.200	Removal From the Payroll
1540.210	Latest Date of Membership
1540.220	Period for Payment and Amount of Payment of Contributions
1540.230	Contributions By the State (Repealed)
1540.240	Actuarially Funded Basis (Repealed)
1540.250	Payments to Establish Credit for Service for Which Contributions are Permitted
1540.260	Contributions and Service Credit During Nonwork Periods
1540.270	Written Appeals and Hearings
1540.280	Availability for Public Inspection (Recodified)
1540.290	Procedure for Submission, Consideration and Disposition of Petitions Seeking the Promulgation, Amendment or Repeal of these Rules and Regulations (Recodified)
1540.300	Organization of the State Employees' Retirement System (Recodified)
1540.310	Amendments
1540.320	Optional Forms of Benefits - Basis of Computation
1540.330	Board Elections

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENT(S)

TABLE A Optional Forms of Benefits - Basis of Computation

AUTHORITY: Implementing and authorized by Article 14 of the Illinois Pension Code (Ill. Rev. Stat. 1989, ch. 108 1/2, par. 14-101 et seq.).

SOURCE: Filed December 20, 1977, effective December 31, 1977; filed and effective February 28, 1978; emergency rule at 4 Ill. Reg. 2, page 246, effective January 1, 1980; amended at 4 Ill. Reg. 12, pages 530, 532, 534, effective March 11, 1980; emergency rule at 4 Ill. Reg. 46, page 1300, effective November 1, 1980; amended at 5 Ill. Reg. 3454, effective March 19, 1981; amended at 5 Ill. Reg. 7225, effective July 1, 1981; amended at 5 Ill. Reg. 12846, effective October 30, 1981; amended at 6 Ill. Reg. 2114, effective January 29, 1982; amended at 6 Ill. Reg. 5505, effective April 16, 1982; codified at 6 Ill. Reg. 10935; emergency amendment at 6 Ill. Reg. 11084, effective August 31, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 677, effective December 30, 1982; amended at 7 Ill. Reg. 8831, effective July 15, 1983; emergency amendment at 8 Ill. Reg. 359, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4144, effective March 26, 1984; Sections 1540.280, 1540.290 and 1540.300 recodified to 2 Ill. Adm. Code 2375 at 8 Ill. Reg. 15902; amended at 9 Ill. Reg. 12375, effective July 30, 1985; emergency amendment at 9 Ill. Reg. 19752, effective December 5, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 8889, effective May 14, 1986; amended at 11 Ill. Reg. 11155, effective June 15, 1987; amended at 14 Ill. Reg. 10498, effective June 19, 1990; amended at 15 Ill. Reg. 7379, effective April 26, 1991.

Section 1540.330 Board Elections

In accordance with the Illinois Pension Code, an election for two (2) trustees, one contributing member and one annuitant, will be held every 5 years beginning in 1986.

a) Definitions of Terms

For purposes of this rule the following definitions shall apply:

"Annuitant" - Any annuitant, as defined in the Illinois Pension Code (Ill. Rev. Stat. 1985, ch. 108 1/2, par. 14-103.07)
 "Contributing Member" - Any member of the System, as defined in the Illinois Pension Code (Ill. Rev. Stat. 1985, ch. 108 1/2, par. 14-103.06) who is currently contributing to the System.

b) Nominations

Qualified persons for the position of Contributing Member Trustee or Annuitant Trustee shall file a Statement of Candidacy and Trustee petitions on a form prescribed by the Board, in accordance with the Illinois Pension Code. Petitions shall be signed by not less than 400 contributing members for a Contributing Trustee candidate and by not less than 100 annuitants for an Annuitant Trustee candidate. Nominating petitions shall be circulated and certified only by contributing members or annuitants for each respective trustee candidate. Forms shall be secured from the Executive Secretary and filed in accordance with the Calendar. Trustee petitions with a

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENT(S)

Statement of Candidacy must be filed at the System's Springfield office, 2015 West Washington 2101 South Veterans Parkway, Springfield, Illinois, in person or by mail during the office hours, 8:00 a.m. to 4:30 p.m.

c) Lottery for Ballot Position

All petitions filed by persons waiting in line as of 8 a.m. on the first day for filing shall be deemed filed as of 8 a.m. Petitions filed by mail and in the first mail delivery or pickup of that day, shall be deemed as filed as of 8 a.m. All petitions received thereafter shall be deemed as filed in the order of actual receipt. Where 2 or more petitions are received simultaneously for the same office, the State Employees' Retirement Board, with whom such petitions are filed, shall break ties and determine the order of filing, by means of a lottery.

d) Procedures on Objections

The Board of Trustees of the System shall review and rule on all written petitions filed objecting to any candidates qualifications as outlined in Ill. Rev. Stat. 1985, ch. 108 1/2, pars 134 (e) and (f). Petitions shall be made in accordance with 80 Ill. Adm. Code 1540.270 (d)(3). Nomination papers shall be deemed valid unless objections are filed in writing within 5 days after the last day for filing nomination papers. Not later than 12 noon on the next business day, after receipt of objector's petitions, the Executive Secretary shall transmit, by registered mail or receipted personal delivery, the nomination papers and original objector's petition to the Chairman of the Board, and shall transmit a copy by registered mail or receipted personal delivery, of the objector's petition, to the candidate whose nomination papers are objected to, addressed to the place of residence designated in said nomination papers. Within 24 hours after receipt of the objector's petition, Chairman of the Board shall send a call by registered or certified mail to each of the members of the Board, objector and candidate. Meeting of the Board shall not be less than 3 nor more than 5 days after receipt of objector's petition by Chairman of Board.

e) Elections

After the Executive Secretary has certified the candidates, separate ballots shall be prepared for the Contributing Member Trustee and for the Annuitant Trustee. Candidate position shall be in the order that the petitions are filed, or as determined by the lottery. Ballots will be mailed on election day to all qualified Contributing Members and Annuitants. All ballots must be returned, sealed in the envelope provided, by May 30 of the election year, to be counted. In order to be eligible to vote, a contributing member must make contributions during the first payroll period in March of the election year. In order to be eligible to vote, an annuitant must receive a retirement annuity for March of each election year.

f) Calendar of Events

Beginning in 1986 and every five (5) years thereafter
 1) JANUARY 2,

NOTICE OF ADOPTED AMENDMENT(S)

Forms available from the Executive Secretary for Statement of Candidacy and petitions.

- 2) JANUARY 15, Last day Executive Secretary shall publish in newsletter the dates and times when candidates may receive petitions. The pre-filing notice must also include the time and location of the filing period for nominating petitions.
- 3) FEBRUARY 11, First day for candidates to file nomination papers in the office of the Executive Secretary for trustee offices.
- 4) FEBRUARY 19, Last day for candidates to file nomination papers in the office of the Executive Secretary for trustee offices.
- 5) FEBRUARY 24, Last day for filing objections to the nomination papers of candidates for the office of trustees in the office of the Executive Secretary.
- 6) FEBRUARY 28,
 - A) Last day lottery shall be conducted by the Executive Secretary when 2 or more petitions are received simultaneously for the same office.
 - B) Seven days written notice shall be given of the time and place for conducting a lottery when 2 or more petitions are received simultaneously for the same office. Notice shall be given by the Executive Secretary to all candidates involved in the lottery.
- 7) MARCH 1, Last day for candidates to withdraw their candidacy in the office of the Executive Secretary.
- 8) MAY 1, Election
- 9) MAY 30, Last day all voted ballots shall be received by the Board or its designate.
- 10) JUNE 6, Last day for canvassing of election results by the Board or its designate agent.
- 11) JUNE 18, Last day for the Board to proclaim the results of the election and to issue the certificates of election to the winners.
- 9) Ballot Security Upon receiving the official voted ballots, they shall be secured unopened, in a locked location, until such time as the canvassing begins.
- h) Board Notification
 - 1) The Board or its designated agent shall canvass the ballots and certify the results. Each candidate may have two observers present during the ballot canvassing.
 - 2) The candidate receiving the most votes for the office of

NOTICE OF ADOPTED AMENDMENT(S)

Contributing Member Trustee will be declared the winner. The candidate receiving the most votes for the office of the Annuitant Trustee will be declared the winner.

- 3) If a candidate should become ineligible for office after the submission of the Statement of Candidacy and Petitions, but before the election, the Board shall notify the candidate of the ineligibility and remove his name from the ballot. If a candidate should become ineligible for office after the mailing of ballots, his votes will not be counted and the eligible candidate receiving the most votes shall be declared the winner.
- 4) Ballots will be retained for 60 days following the certification and then destroyed, pending any litigation.
- 5) In case of a tie vote between 2 or more candidates, the Board shall determine the winner by means of a lottery to break the tie.
- 6) The Board will proclaim the results of the election and issue Certificates of Election to the winners.

(Source: Amended at 15 Ill. Reg. 7379, effective April 26, 1991)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the week of April 22, 1991 through April 26, 1991, and have been scheduled for review by the Committee at its May 14, 1991 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its May meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
6/7/91	Department of Transportation, Rules Establishing Horizontal and Vertical Clearances for Bridges Over the Fox River Between Algonquin and the Illinois-Wisconsin State Line (92 Ill. Adm. Code 720)	3/8/91 15 Ill. Reg. 3426	May 14, 1991
6/10/91	Department of Employment Security, Determination of Unemployment Contributions (56 Ill. Adm. Code 2770)	3/8/91 15 Ill. Reg. 3368	May 14, 1991
6/10/91	Illinois Historic Preservation Agency, Public Use of Historic Sites and Properties (17 Ill. Adm. Code 4160)	2/8/91 15 Ill. Reg. 1680	May 14, 1991

PROCLAMATION

91-188
HOME EDUCATION WEEK
(Revised)

Whereas, the State of Illinois is committed to excellence in education; and

Whereas, the State of Illinois recognizes the importance of family support in educational programs; and

Whereas, home education was proven successful in the lives of George Washington, Thomas Edison, Helen Keller, Agatha Christie, Franklin Roosevelt, and others and may be administered in Illinois under statutory requirements of the school code;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 5-11, 1991, as HOME EDUCATION WEEK in Illinois.

Issued by the Governor April 24, 1991.

Filed with the Secretary of State April 29, 1991.

91-195
DAY OF PRAYER

"To pray together, in whatever tongue or ritual, is the most tender brotherhood of hope and sympathy that men can contact in this life." Madame De Staël, Corrine, Book X

Whereas, the observance of a National Day of Prayer has a long history in the United States, beginning with the Continental Congress in 1775, highlighted by an eloquent proclamation from Abraham Lincoln in 1863, and continuing now in the 40th consecutive observance since 1952; and

Whereas, the Middle East crisis has helped to highlight the impact that prayer has on our nation; and

Whereas, the National Prayer Committee hopes the National Day of Prayer will be a vehicle for advancing moral and spiritual values throughout the land and a means of serving the people;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 2, 1991, as DAY OF PRAYER in Illinois, in conjunction with the national observance. I encourage our citizens to join together on this day to ask for help in exercising justice and wisdom as we carry out our common responsibilities.

Issued by the Governor April 3, 1991.

Filed with the Secretary of State April 29, 1991.

91-196
'A' TEAM DAY

Whereas, the Chicago area is recognized as a major resource for medical care. Its health institutions are visited each year

by people from around the world seeking advanced medical treatment; and

Whereas, health care employees engaged in allied health functions are a vital part of the health care delivery team. They include audiologists, cardiovascular technologists, dietitians, medical laboratory technicians, medical technologists, occupational therapists, pharmacists, radiation therapists, social workers, and others; and

Whereas, health care has reached a period of dynamic growth, with all staff members being called upon to assume greater responsibility and sharpen their skills; and

Whereas, these employees make a major contribution in every health care facility to advance the metropolitan area's reputation for health care excellence; and

Whereas, the 102 area hospitals and health care organizations that are members of the Metropolitan Chicago Healthcare Council salute allied health staff as committed team players and appreciate the important role they play in maintaining the Chicago area as a healthy and productive community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 8, 1991, as 'A' TEAM DAY in Illinois and urge all citizens to recognize the achievements of allied health professionals.

Issued by the Governor April 19, 1991.

Filed with the Secretary of State April 29, 1991.

91-197

WORKERS MEMORIAL DAY

Whereas, every year more than 10,000 American workers are killed on the job, thousands of Americans are permanently disabled, and millions are injured; and

Whereas, in Illinois, an average of more than 300 workers die each year in job-related accidents; and

Whereas, another 100,000 American workers die from cancer, lung disease, and other diseases related to toxic chemical exposure at work; and

Whereas, concerned citizens are renewing their efforts to seek stronger safety and health protection, better standards and enforcement, and fair and just compensation; and

Whereas, the unions of the American Federation of Labor - Congress of Industrial Organizations has organized Workers' Memorial Day on April 28 to remember the victims of workplace injuries and diseases;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 28, 1991, as WORKERS MEMORIAL DAY in Illinois.

Issued by the Governor April 24, 1991.

Filed with the Secretary of State April 29, 1991.

91-198

ASIAN AMERICAN HERITAGE MONTH

Whereas, our citizens from Asian countries make up a special part of our unique American mosaic; and

Whereas, Asian Americans have contributed to our nation's progress and prosperity in a wide range of fields, including art, architecture, literature, education, government, law, industry, commerce, medicine, science, and technology; and

Whereas, Asian Americans have enriched our cultural heritage by bringing with them the strong and diverse traditions of their homelands; and

Whereas, Asian Americans, and all those who journeyed to the United States in pursuit of freedom and liberty, are an important part of our nation's foundation; and

Whereas, Asian Americans continually strive for full participation and equal opportunity in all walks of life;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1991 as ASIAN AMERICAN HERITAGE MONTH in Illinois. I urge all citizens to join this celebration recognizing the infinite contributions of Asian Americans to the quality of life in our state and our nation.

Issued by the Governor April 26, 1991.

Filed with the Secretary of State April 29, 1991.

91-199

MONSIGNOR EDWARD J. DUNCAN DAY

Whereas, the friends of Monsignor Edward J. Duncan are honoring him on the occasion of the 50th anniversary of his ordination to the priesthood; and

Whereas, during the past 50 years, Monsignor Duncan has established a distinguished record of leadership as a priest, teacher, and administrator; and

Whereas, Monsignor Duncan's long career of service has been recognized by two Popes, Paul VI and John Paul II, as well as by numerous institutions of higher education; and

Whereas, Monsignor Duncan has been the director of the Newman Foundation at the University of Illinois since October 1943 and the team chaplain for the football team and athletic programs since 1948; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 28, 1991, as MONSIGNOR EDWARD J. DUNCAN DAY in Illinois in recognition of the contributions Monsignor Duncan has made to our state.

Issued by the Governor April 26, 1991.

Filed with the Secretary of State April 29, 1991.

91-200

MINORITY AND WOMEN BUSINESS ENTERPRISE DAY

Whereas, companies owned by women and minorities represent a significant and rapidly growing segment of our state's economic vitality; and

Whereas, our state is taking strides to assist Illinois small businesses owned by minorities and women; and

Whereas, one example of the state's willingness to help these firms succeed is the pilot loan program administered by the Illinois departments of Transportation and Commerce and Community Affairs; and

Whereas, the program aims at helping these businesses obtain the financing they need to take part in road and other transportation-related construction contracts;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 30, 1991, as MINORITY AND WOMEN BUSINESS ENTERPRISE DAY in Illinois in recognition of the progress these businesses are making and the contributions they have made to economic growth in our state. I urge citizens to do what they can to help these businesses succeed.

Issued by the Governor April 26, 1991.

Filed with the Secretary of State April 29, 1991.

91-201

REVEREND LEWIS M. KRAUSE DAY

Whereas, Reverend Lewis M. Krause has been actively involved in community and church affairs during his ten years as pastor of Springfield Baptist Church; and

Whereas, in his dedicated efforts to help the Springfield community, Rev. Krause has served as a member of the Greater Springfield Interfaith Council, moderator of St. John's Hospital's Fifth Age Living Program, participant in the Community Interdenominational Thanksgiving Service, and bell ringer for the Salvation Army fund drive; and

Whereas, Rev. Krause organized two missions which became churches, expanded the church property, served as a member of the Board of Directors on the Administrative Committee, and led an evangelistic crusade in Finland; and

Whereas, Rev. Lewis is retiring from his duties as the pastor of Springfield Baptist Church. His dedication and devotion will be recognized with a special ceremony April 28;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 28, 1991, as REVEREND LEWIS M. KRAUSE DAY in Illinois and commend him for the many contributions he has made to the Springfield community and our state.

Issued by the Governor April 26, 1991.

Filed with the Secretary of State April 29, 1991.

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ACTION CODES

JCAR - Joint Committee on Administrative Rules

A - Adopted Rule
 AR - Adopted Repealer
 C - Notice of Corrections
 CC - Codification Changes
 E - Emergency Rule
 ER - Emergency Repealer
 M - Modification to meet JCAR objections
 O - JCAR Statement of Objections
 P - Proposed Rule
 PF - Prohibited Filing Ordered by JCAR
 PP - Peremptory or Court ordered Rules
 PR - Proposed Repealer
 R - Refusal to meet JCAR objection
 RC - Statement of Recommendation
 S - Suspension ordered by JCAR
 W - Withdrawal to meet JCAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 285 Ill. Grain Insurance Act (P-18048/85; A-6818)

TITLE PART ACTION CODE PAGE NUMBER PREVIOUS VOLUME ACTION CODE

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-141; A-6513)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (E-2838)

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 255 Agrichemical Facilities (E-128)
 8 Ill. Adm. Code 270 Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds (P-10965/90; A-455)
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-3117)
 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6105)
 8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2058 Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597)

ASBESTOS ABATEMENT AUTHORITY, ILLINOIS

2 Ill. Adm. Code 2650 Organization, rulemaking & Public Information (A-2660)

ATTORNEY GENERAL

14 Ill. Adm. Code 475 Motor Vehicle Advertising (P-6343)

AUDITOR GENERAL

74 Ill. Adm. Code 420 Code of Regs. (P-15645/90; A-3429)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 Ill. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-3611)
 38 Ill. Adm. Code 354 Administration of Collateral Obtained in Collection of a Debt (P-3614)
 38 Ill. Adm. Code 397 Corporate Fiduciary Receivership Account (P-15181/90; A-167)
 38 Ill. Adm. Code 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-2055)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-2989/90; A-4109)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 303 Conditions of Employment (E-4801) (E-5076) (P-17399/90; A-5214)
 80 Ill. Adm. Code 1300 Day Care (P-5141)
 80 Ill. Adm. Code 310 Pay Plan (PP-663) (P-14657/90; A-3296) (P-15186/90; A-4401) (P-4497; W-5920) (PP-5100) (P-5147) (PP-5465) (P-6364)
 44 Ill. Adm. Code 5030 Personal Use of State Telephones (P-1203)

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89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Dept. (P-4303/90; A-24)

COMMERCE COMMISSION, ILLINOIS

92 Ill. Adm. Code 1311 Commodity Group Definitions (P-4195)
 83 Ill. Adm. Code 756 Dual Party Relay Service (P-18675/90; A-5618)
 83 Ill. Adm. Code 220 Reports of Accidents by Telecommunications Carriers & by Fixed Public Utilities Other Than Pipelines Transporting Liquids (P-15653/90; A-5056)
 83 Ill. Adm. Code 780 Right-of-Way Precondemnation Negotiations by Telephone Companies (P-13100/90; A-5062)
 83 Ill. Adm. Code 730 Standards of Service for Local Exchange Telecommunications Carriers (P-1627)
 83 Ill. Adm. Code 730 Standards of Service for Telephone Utilities (G.O. 197) (PR-1650)
 83 Ill. Adm. Code 755 Telecommunications Access for the Hearing & Voice Impaired (P-19109/90; A-5624)
 83 Ill. Adm. Code 757 Telephone Assistance Programs (PR-4803; ER-5082; RC-5111)

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14 Ill. Adm. Code 510 Ill. Promotion Act (P-677)
 14 Ill. Adm. Code 510 Ill. Promotion Act Programs (P-13072/90; A-2673)
 14 Ill. Adm. Code 570 Ill. Small Business Development Program (P-4528)
 56 Ill. Adm. Code 2650 Industrial Training Program (P-19503/90; W-3602)
 14 Ill. Adm. Code 550 Local Tourism & Convention Bureau Program (P-8782/90; A-1798)
 47 Ill. Adm. Code 100 Residential Energy Assistance Partnership Program (P-15189/90; O-1575; R-3603; A-3437)
 56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-691)
 47 Ill. Adm. Code 110 State Administration of the Federal Community Development Block Grant Program for Small Cities (P-10985/90; O-19076/90; R-3127 A-4410)
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 74 Ill. Adm. Code 280 Public Radio & Television Grants (P-18359/90; O-5112)

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17 Ill. Adm. Code 3035 Boat Access Area Construction Program (P-18365/90; A-4117)
 17 Ill. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-4805)

ILLINOIS REGISTER

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7000.130	am	(A-6105)	125.340	am	(PP-620; W-1574) (P-1583)
7001.40	am	(A-6105)	125.350	am	(PP-620; W-1574) (P-1583)
7001.50	am	(A-6105)	125.360	am	(PP-620; W-1574) (P-1583)
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2650.60	n	(A-2660)			
2650.100	n	(A-2660)			
2650.200	n	(A-2660)			
2650.205	n	(A-2660)	405.170	r	(P-8957/90; A-591)
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			502.76	am	(P-5609)
			509.100	am	(P-5614)
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			1413.48	am	(P-12385/90; A-2730)
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475.360	n	(P-6343)	550.50	ann	(P-8782/90; A-1798)
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475.390	n	(P-6343)	570.25	ann	(P-4528)
475.400	n	(P-6343)	570.30	ann	(P-4528)
475.410	n	(P-6343)	570.40	ann	(P-4528)
475.420	n	(P-6343)	570.50	ann	(P-4528)
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475.590	n	(P-6343)			
475.610	n	(P-6343)			
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475.720	n	(P-6343)			
510.10	ann	(P-677)	510.10	ann	(P-677)
510.20	ann	(P-677)	510.20	ann	(P-677)
510.40	ann	(P-677)	510.40	ann	(P-677)
510.50	ann	(P-677)	510.50	ann	(P-677)
510.60	ann	(P-677)	510.60	ann	(P-677)
510.70	ann	(P-677)	510.70	ann	(P-677)
510.80	ann	(P-677)	510.80	ann	(P-677)
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510.120	n	(P-13072/90; A-2673)	530.110	ann	(P-677)
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545.325	ann	(P-3620)	660.40	ann	(P-3620)
545.330	ann	(P-3620)	660.40	ann	(P-3620)
545.345	ann	(P-3620)	660.45	ann	(P-3620)
545.350	ann	(P-3620)	660.50	ann	(P-3620)
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218.109	n	(P-3675)
218.110	n	(P-3675)
218.111	n	(P-3675)
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218.121	n	(P-3675)
218.122	n	(P-3675)
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218.421	n	(P-3675)
218.422	n	(P-3675)
218.423	n	(P-3675)
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218.425	n	(P-3675)
218.426	n	(P-3675)
218.427	n	(P-3675)
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218.430	n	(P-3675)
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218.443	n	(P-3675)
218.444	n	(P-3675)
218.445	n	(P-3675)
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218.447	n	(P-3675)
218.448	n	(P-3675)
218.449	n	(P-3675)
218.450	n	(P-3675)
218.451	n	(P-3675)
218.452	n	(P-3675)
218.453	n	(P-3675)
218.461	n	(P-3675)
218.462	n	(P-3675)
218.463	n	(P-3675)
218.464	n	(P-3675)
218.465	n	(P-3675)
218.466	n	(P-3675)
218.480	n	(P-3675)
218.481	n	(P-3675)
218.482	n	(P-3675)
218.483	n	(P-3675)
218.484	n	(P-3675)
218.485	n	(P-3675)
218.486	n	(P-3675)
218.487	n	(P-3675)
218.488	n	(P-3675)
218.489	n	(P-3675)
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218.526	n	(P-3675)
218.527	n	(P-3675)
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218.561	n	(P-3675)
218.562	n	(P-3675)
218.563	n	(P-3675)
218.581	n	(P-3675)
218.582	n	(P-3675)
218.583	n	(P-3675)
218.584	n	(P-3675)
218.585	n	(P-3675)
218.601	n	(P-3675)
218.602	n	(P-3675)
218.603	n	(P-3675)
218.604	n	(P-3675)
218.605	n	(P-3675)
218.606	n	(P-3675)
218.607	n	(P-3675)
218.608	n	(P-3675)
218.609	n	(P-3675)
218.610	n	(P-3675)
218.611	n	(P-3675)
218.612	n	(P-3675)
218.613	n	(P-3675)
218.620	n	(P-3675)
218.621	n	(P-3675)
218.623	n	(P-3675)
218.624	n	(P-3675)
218.625	n	(P-3675)
218.626	n	(P-3675)
218.628	n	(P-3675)
218.630	n	(P-3675)
218.636	n	(P-3675)
218.637	n	(P-3675)
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218.875	n	(P-3675)
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218.879	n	(P-3675)
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218.883	n	(P-3675)
218.886	n	(P-3675)
218.923	n	(P-3675)
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218.960	n	(P-3675)
218.963	n	(P-3675)
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219.110	(P-3892)	n	219.463	(P-3892)	n	219.947	(P-3892)	n
219.111	(P-3892)	n	219.464	(P-3892)	n	219.947	(P-3892)	n
219.112	(P-3892)	n	219.465	(P-3892)	n	219.948	(P-3892)	n
219.121	(P-3892)	n	219.466	(P-3892)	n	219.960	(P-3892)	n
219.121	(P-3892)	n	219.480	(P-3892)	n	219.963	(P-3892)	n
219.122	(P-3892)	n	219.481	(P-3892)	n	219.966	(P-3892)	n
219.123	(P-3892)	n	219.482	(P-3892)	n	219.967	(P-3892)	n
219.124	(P-3892)	n	219.483	(P-3892)	n	219.968	(P-3892)	n
219.125	(P-3892)	n	219.484	(P-3892)	n	219.980	(P-3892)	n
219.126	(P-3892)	n	219.485	(P-3892)	n	219.983	(P-3892)	n
219.127	(P-3892)	n	219.486	(P-3892)	n	219.986	(P-3892)	n
219.128	(P-3892)	n	219.487	(P-3892)	n	219.987	(P-3892)	n
219.141	(P-3892)	n	219.488	(P-3892)	n	219.988	(P-3892)	n
219.142	(P-3892)	n	219.489	(P-3892)	n	219.990	(P-3892)	n
219.143	(P-3892)	n	219.521	(P-3892)	n	219.991	(P-3892)	n
219.144	(P-3892)	n	219.525	(P-3892)	n	219.991	(P-3892)	n
219.182	(P-3892)	n	219.527	(P-3892)	n	219.991	(P-3892)	n
219.182	(P-3892)	n	219.527	(P-3892)	n	219.991	(P-3892)	n
219.183	(P-3892)	n	219.541	(P-3892)	n	219.991	(P-3892)	n
219.184	(P-3892)	n	219.561	(P-3892)	n	219.991	(P-3892)	n
219.185	(P-3892)	n	219.562	(P-3892)	n	219.991	(P-3892)	n
219.186	(P-3892)	n	219.563	(P-3892)	n	219.991	(P-3892)	n
219.204	(P-3892)	n	219.581	(P-3892)	n	219.991	(P-3892)	n
219.205	(P-3892)	n	219.582	(P-3892)	n	219.991	(P-3892)	n
219.206	(P-3892)	n	219.583	(P-3892)	n	219.991	(P-3892)	n
219.207	(P-3892)	n	219.584	(P-3892)	n	219.991	(P-3892)	n
219.208	(P-3892)	n	219.585	(P-3892)	n	219.991	(P-3892)	n
219.209	(P-3892)	n	219.601	(P-3892)	n	219.991	(P-3892)	n
219.210	(P-3892)	n	219.602	(P-3892)	n	219.991	(P-3892)	n
219.211	(P-3892)	n	219.603	(P-3892)	n	219.991	(P-3892)	n
219.301	(P-3892)	n	219.604	(P-3892)	n	219.991	(P-3892)	n
219.302	(P-3892)	n	219.605	(P-3892)	n	219.991	(P-3892)	n
219.303	(P-3892)	n	219.606	(P-3892)	n	219.991	(P-3892)	n
219.304	(P-3892)	n	219.607	(P-3892)	n	219.991	(P-3892)	n
219.401	(P-3892)	n	219.608	(P-3892)	n	219.991	(P-3892)	n
219.402	(P-3892)	n	219.609	(P-3892)	n	219.991	(P-3892)	n
219.403	(P-3892)	n	219.610	(P-3892)	n	219.991	(P-3892)	n
219.404	(P-3892)	n	219.611	(P-3892)	n	219.991	(P-3892)	n
219.405	(P-3892)	n	219.612	(P-3892)	n	219.991	(P-3892)	n
219.421	(P-3892)	n	219.613	(P-3892)	n	219.991	(P-3892)	n
219.422	(P-3892)	n	219.620	(P-3892)	n	219.991	(P-3892)	n
219.423	(P-3892)	n	219.621	(P-3892)	n	219.991	(P-3892)	n
219.424	(P-3892)	n	219.623	(P-3892)	n	219.991	(P-3892)	n
219.425	(P-3892)	n	219.624	(P-3892)	n	219.991	(P-3892)	n

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250.20	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.25	n	(P-5322/90; A-5656)	110.90	am	(P-10985/90; O-19076/90;		
250.30	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.40	n	(P-5322/90; A-5656)	110.91	n	(P-10985/90; O-19076/90;		
250.50	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.60	n	(P-5322/90; A-5656)	110.92	n	(P-10985/90; O-19076/90;		
250.80	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.82	n	(P-5322/90; A-5656)	110.93	n	(P-10985/90; O-19076/90;		
250.83	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.85	n	(P-5322/90; A-5656)	110.100	am	(P-10985/90; O-19076/90;		
250.93	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.95	n	(P-5322/90; A-5656)	110.105	n	(P-10985/90; O-19076/90;		
250.97	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.201	n	(P-5322/90; A-5656)	110.130	am	(P-10985/90; O-19076/90;		
250.210	n	(P-5322/90; A-5656)			R-3127; A-4410)		
250.213	n	(P-5322/90; A-5656)					
250.215	n	(P-5322/90; A-5656)					
250.220	n	(P-5322/90; A-5656)					
250.230	n	(P-5322/90; A-5656)					
250.232	n	(P-5322/90; A-5656)					
250.233	n	(P-5322/90; A-5656)					
250.243	n	(P-5322/90; A-5656)					
250.250	n	(P-5322/90; A-5656)					
250.260	n	(P-5322/90; A-5656)					
250.270	n	(P-5322/90; A-5656)					
250.301	n	(P-5322/90; A-5656)					
250.310	n	(P-5322/90; A-5656)					
250.315	n	(P-5322/90; A-5656)					
250.320	n	(P-5322/90; A-5656)					
250.340	n	(P-5322/90; A-5656)					
250.341	n	(P-5322/90; A-5656)					
250.343	n	(P-5322/90; A-5656)					
250.358	n	(P-5322/90; A-5656)					
250.360	n	(P-5322/90; A-5656)					
250.370	n	(P-5322/90; A-5656)					
TITLE 44							
4000.30	am	(P-6882)	2014.10	n	(P-5975)		
4000.60	am	(P-6882)	2014.20	n	(P-5975)		
5030.130	am	(P-1203)	2014.30	n	(P-5975)		
TITLE 47							
100.30	am	(P-15189/90; O-1575; A-3437)	2801.50	am	(P-6878)		
100.106	am	(P-15189/90; O-1575; A-3437)	3119.20	am	(P-12127/90; A-69)		
100.110	am	(P-15189/90; O-1575; A-3437)	3119.30	am	(P-12127/90; A-69)		
100.111	am	(P-15189/90; O-1575; R-3603;	3119.40	am	(P-12127/90; A-69)		
		A-3437)	3119.50	am	(P-12127/90; A-69)		
100.113	am	(P-15189/90; O-1575; R-3603;	3119.60	am	(P-12127/90; A-69)		
		A-3437)	3119.Ex.A	am	(P-12127/90; A-69)		
100.117	r	(P-15189/90; O-1575; A-3437)	3119.Ex.B	am	(P-12127/90; A-69)		
100.120	am	(P-15189/90; O-1575; A-3437)	3119.Ex.C	am	(P-12127/90; A-69)		
100.120	am	(P-15189/90; O-1575; A-3437)	3119.Ex.D	am	(P-12127/90; A-69)		
100.Ap.E	am	(P-15189/90; O-1575; A-3437)	6101.10	am	(P-20205/89; A-199)		
100.Ap.F	am	(P-15189/90; O-1575; A-3437)	6101.20	am	(P-20205/89; A-199)		
110.10	am	(P-10985/90; O-19076/90;	6101.40	am	(P-20205/89; A-199)		
		R-3127; A-4410)			(P-20205/89; A-199)		
110.30	am	(P-10985/90; O-19076/90;	6101.50	am	(P-20205/89; A-199)		
		R-3127; A-4410)	6101.100	am	(P-20205/89; A-199)		
110.40	am	(P-10985/90; O-19076/90;	6101.110	am	(P-20205/89; O-2117/90;		
		R-3127; A-4410)			M-365; A-199)		
110.50	am	(P-10985/90; O-19076/90;	6101.111	n	(P-20205/89; A-199)		
		R-3127; A-4410)	6101.112	n	(P-20205/89; A-199)		
110.60	am	(P-10985/90; O-19076/90;	6101.130	am	(P-20205/89; A-199)		
		R-3127; A-4410)	6101.140	am	(P-20205/89; A-199)		

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6101.141	n	(P-20205/89; A-199)	108.130	am	(P-16718/90; A-6122)
6101.142	n	(P-20205/89; A-199)	108.140	am	(P-16718/90; A-6122)
6101.160	r	(P-20205/89; A-199)	108.150	am	(P-16718/90; A-6122)
6101.20	am	(P-20205/89; A-199)	108.200	am	(P-16718/90; A-6122)
6101.20	am	(P-20205/89; A-199)	108.210	n	(P-16718/90; A-6122)
6101.20	am	(P-20205/89; A-199)	108.300	n	(P-16718/90; A-6122)
7100.70	am	(P-6863)	108. Ap. A	n	(P-16718/90; A-6122)
			117.100	n	(P-14671/90; A-1511)
			117.110	n	(P-14671/90; A-1511)
			117.115	n	(P-14671/90; A-1511)
			117.120	n	(P-14671/90; A-1511)
			117.125	n	(P-14671/90; A-1511)
			117.130	n	(P-14671/90; A-1511)
			117.135	n	(P-14671/90; A-1511)
			117.140	n	(P-14671/90; A-1511)
			117.145	n	(P-14671/90; A-1511)
			117.200	n	(P-14671/90; A-1511)
			117.205	n	(P-14671/90; A-1511)
			117.210	n	(P-14671/90; A-1511)
			117.215	n	(P-14671/90; A-1511)
			117.220	n	(P-14671/90; A-1511)
			117.225	n	(P-14671/90; A-1511)
			117.230	n	(P-14671/90; A-1511)
			117.235	n	(P-14671/90; A-1511)
			117.240	n	(P-14671/90; A-1511)
			117.300	n	(P-14671/90; A-1511)
			117.305	n	(P-14671/90; A-1511)
			117.310	n	(P-14671/90; A-1511)
			117.315	n	(P-14671/90; A-1511)
			117.320	n	(P-14671/90; A-1511)
			117.325	n	(P-14671/90; A-1511)
			117.330	n	(P-14671/90; A-1511)
			117.335	n	(P-14671/90; A-1511)
			117.340	n	(P-14671/90; A-1511)
			117.345	n	(P-14671/90; A-1511)
			117.350	n	(P-14671/90; A-1511)
			117. Ap. A	n	(P-14671/90; A-1511)
			117.11.A	n	(P-14671/90; A-1511)
			117.11.B	n	(P-14671/90; A-1511)
			117. Ap. B	n	(P-14671/90; A-1511)
			117.11.A	n	(P-14671/90; A-1511)
			117.11.B	n	(P-14671/90; A-1511)
			117.11.C	n	(P-14671/90; A-1511)
			117.11.D	n	(P-14671/90; A-1511)
			117.11.E	n	(P-14671/90; A-1511)
			130.11	am	(E-18100/90; O-21140/90; R-1171)
			130.20	am	(E-18100/90; O-21140/90; R-1171)
			130.30	am	(E-18100/90; O-21140/90; R-1171)
			130.40	am	(E-18100/90; O-21140/90; R-1171)
			130.60	am	(E-18100/90; O-21140/90; R-1171)
			130.70	am	(E-18100/90; O-21140/90; R-1171)
			130.80	am	(E-18100/90; O-21140/90; R-1171)
			130.90	r	(E-18100/90; O-21140/90; R-1171)
			130.100	am	(E-18100/90; O-21140/90; R-1171)
			130.110	am	(E-18100/90; O-21140/90; R-1171)
			130.120	am	(E-18100/90; O-21140/90; R-1171)

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101.20	am	(P-3386)	130.20	am	(E-18100/90; O-21140/90; R-1171)
101.30	am	(P-3386)	130.30	am	(E-18100/90; O-21140/90; R-1171)
106.25	am	(P-14674/90; A-1555)	130.40	am	(E-18100/90; O-21140/90; R-1171)
106.45	am	(P-14674/90; A-1555)	130.60	am	(E-18100/90; O-21140/90; R-1171)
108.10	am	(P-16718/90; A-6122)	130.70	am	(E-18100/90; O-21140/90; R-1171)
108.20	am	(P-16718/90; A-6122)	130.80	am	(E-18100/90; O-21140/90; R-1171)
108.30	am	(P-16718/90; A-6122)	130.90	r	(E-18100/90; O-21140/90; R-1171)
108.40	am	(P-16718/90; A-6122)	130.100	am	(E-18100/90; O-21140/90; R-1171)
108.50	am	(P-16718/90; A-6122)	130.110	am	(E-18100/90; O-21140/90; R-1171)
108.60	am	(P-16718/90; A-6122)	130.120	am	(E-18100/90; O-21140/90; R-1171)
108.70	am	(P-16718/90; A-6122)			
108.80	am	(P-16718/90; A-6122)			
108.90	am	(P-16718/90; A-6122)			
109.00	am	(P-16718/90; A-6122)			
109.100	am	(P-16718/90; A-6122)			
109.110	am	(P-16718/90; A-6122)			
109.120	am	(P-16718/90; A-6122)			

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150.101	(P-19804/90; A-5861)	am	330.105	(P-19767/90; A-5822)	am
150.105	(P-19804/90; A-5861)	am	330.110	(P-19767/90; A-5822)	am
150.135	(P-19804/90; A-5861)	am	330.115	(P-19767/90; A-5822)	am
150.201	(P-19804/90; A-5861)	am	330.120	(P-19767/90; A-5822)	am
150.405	(P-19804/90; A-5861)	am	340.101	(P-19774/90; A-5829)	am
150.710	(P-19804/90; A-5861)	am	340.105	(P-19774/90; A-5829)	am
150.725	(P-19804/90; A-5861)	am	340.110	(P-19774/90; A-5829)	am
150.905	(P-19804/90; A-5861)	am	370.101	(P-19730/90; A-5805)	am
150.1101	(P-19804/90; A-5861)	am	370.105	(P-19730/90; A-5805)	am
150.1310	(P-19804/90; A-5861)	am	370.110	(P-19730/90; A-5805)	am
150.1401	(P-19804/90; A-5861)	am	370.115	(P-19730/90; A-5805)	am
150.1405	(P-19804/90; A-5861)	am	370.120	(P-19730/90; A-5805)	am
160.101	(P-19788/90; A-5845)	am	380.101	(P-19740/90; A-6299)	am
160.105	(P-19788/90; A-5845)	am	380.110	(P-19740/90; A-6299)	am
160.135	(P-19788/90; A-5845)	am	380.115	(P-19740/90; A-6299)	am
160.155	(P-19788/90; A-5845)	am	390.101	(P-19746/90; A-5815)	am
200.115	(P-14754/90; A-3518)	am	390.105	(P-19746/90; A-5815)	am
220.101	(P-19706/90; A-5783)	am	420.50	(P-15762/90; A-3498)	am
220.105	(P-19706/90; A-5783)	am	430.100	(P-1724)	am
220.115	(P-19706/90; A-5783)	am	430.110	(P-1724)	am
220.120	(P-19706/90; A-5783)	am	430.120	(P-1724)	am
220.125	(P-19706/90; A-5783)	am	430.130	(P-1724)	am
220.130	(P-19706/90; A-5783)	am	430.160	(P-1724)	am
230.101	(P-19717/90; A-5796)	am	430.180	(P-1724)	am
230.105	(P-19717/90; A-5796)	am	430.190	(P-1724)	am
230.110	(P-19717/90; A-5796)	am	430.200	(P-1724)	am
230.115	(P-19717/90; A-5796)	am	432.100	(P-1777)	am
230.120	(P-19717/90; A-5796)	am	432.110	(P-1777)	am
230.125	(P-19717/90; A-5796)	am	432.120	(P-1777)	am
230.130	(P-19717/90; A-5796)	am	432.160	(P-1777)	am
240.101	(P-19725/90; A-5781)	am	435.100	(P-1748)	am
240.105	(P-19725/90; A-5781)	am	435.110	(P-1748)	am
240.110	(P-19725/90; A-5781)	am	435.120	(P-1748)	am
240.115	(P-19725/90; A-5781)	am	435.130	(P-1748)	am
240.120	(P-19725/90; A-5781)	am	435.140	(P-1748)	am
270.101	(P-15251/90; A-3507)	am	435.160	(P-1748)	am
270.105	(P-15251/90; A-3507)	am	435.170	(P-1748)	am
270.110	(P-15251/90; A-3507)	am	435.180	(P-1748)	am
270.115	(P-15251/90; A-3507)	am	435.190	(P-1748)	am
270.120	(P-15251/90; A-3507)	am	435.200	(P-1748)	am
270.125	(P-15251/90; A-3507)	am	435.220	(P-1748)	am
270.130	(P-15251/90; A-3507)	am	440.90	(P-13429/90; A-117)	am
280.101	(P-17908/90; A-6290)	am	450.10	(P-13434/90; A-122)	am
280.105	(P-17908/90; A-6290)	am	500.102	(P-17897/90; A-6305)	am
280.110	(P-17908/90; A-6290)	am	500.103	(P-17897/90; A-6305)	am
280.115	(P-17908/90; A-6290)	am	500.105	(P-17897/90; A-6305)	am
280.120	(P-17908/90; A-6290)	am	500.115	(P-17897/90; A-6305)	am
280.125	(P-17908/90; A-6290)	am	500.155	(P-17897/90; A-6305)	am
280.130	(P-17908/90; A-6290)	am	500.175	(P-17897/90; A-6305)	am
290.101	(P-19751/90; A-5820)	am	500.195	(P-17897/90; A-6305)	am
290.105	(P-19751/90; A-5820)	am	500.201	(P-17897/90; A-6305)	am
290.110	(P-19751/90; A-5820)	am	500.220	(P-17897/90; A-6305)	am
290.115	(P-19751/90; A-5820)	am	600.101	(P-18195/90; A-6284)	am
300.101	(P-19756/90; A-6316)	am	600.105	(P-18195/90; A-6284)	am
300.105	(P-19756/90; A-6316)	am	600.110	(P-18195/90; A-6284)	am
300.110	(P-19756/90; A-6316)	am	600.115	(P-18195/90; A-6284)	am
300.115	(P-19756/90; A-6316)	am	600.120	(P-18195/90; A-6284)	am
300.120	(P-19756/90; A-6316)	am	600.125	(P-18195/90; A-6284)	am
330.101	(P-19767/90; A-5822)	am			

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600.130	(P-18195/90; A-6284)	am	113.125	(P-6913)	am
600.135	(P-18195/90; A-6284)	am	113.141	(P-19581/90; A-5291)	am
610.101	(P-18208/90; A-6286)	am	113.155	(P-804; A-7104) (E-1111);	am
610.105	(P-18208/90; A-6286)	am		O-5125)	
610.110	(P-18208/90; A-6286)	am	113.251	(P-15701/90; A-277)	am
610.115	(P-18208/90; A-6286)	am	113.253	(P-1715; A-7104)	am
610.120	(P-18208/90; A-6286)	am	113.260	(P-1715; A-7104)	am
610.125	(P-18208/90; A-6286)	am	113.261	(P-5517)	am
610.130	(P-18208/90; A-6286)	am	113.303	(P-15701/90; A-277)	am
610.135	(P-18208/90; A-6286)	am	114.9	(P-394; A-5710)	am
620.101	(P-18217/90; A-6288)	am	114.210	(P-5539)	am
620.105	(P-18217/90; A-6288)	am	114.251	(P-5539)	am
620.110	(P-18217/90; A-6288)	am	114.402	(P-15712/90; A-288)	am
620.115	(P-18217/90; A-6288)	am	117.90	(P-6435)	am
630.101	(P-18217/90; A-6288)	am	120.11	(P-5551)	am
630.105	(P-18217/90; A-6288)	am	120.12	(P-6089)	am
630.110	(P-18217/90; A-6288)	am	120.12	(P-5551)	am
630.115	(P-18217/90; A-6288)	am	120.61	(P-5551)	am
640.101	(P-17879/90; A-5762)	am	120.64	(P-5551)	am
640.105	(P-17879/90; A-5762)	am	120.65	(P-5551)	am
640.110	(P-17879/90; A-5762)	am	120.72	(P-159; A-5302) (E-348)	am
650.101	(P-17879/90; A-5762)	am	120.74	(P-159; A-5302) (E-348)	am
3000.100	(P-433)	am	120.208	(P-5551)	am
3000.110	(P-433)	am	120.235	(P-5551)	am
3000.120	(P-433)	am	120.281	(P-5551)	am
3000.130	(P-433)	am	120.319	(P-833)	am
3000.140	(P-433)	am	120.320	(P-833)	am
3000.150	(P-433)	am	120.321	(P-833)	am
3000.160	(P-433)	am	120.322	(P-833)	am
3000.170	(P-433)	am	120.323	(P-833)	am
3000.200	(P-433)	am	120.370	(P-6937)	am
3000.210	(P-433)	am	120.386	(P-5551)	am
3000.220	(P-433)	am	120.390	(P-159; A-5302) (E-348)	am
3000.230	(P-433)	am	120.391	(P-5551)	am
3000.240	(P-433)	am	121.31	(P-5525)	am
3000.250	(P-433)	am	121.58	(P-5525)	am
3000.260	(P-433)	am	121.63	(P-6922)	am
3000.400	(P-433)	am	121.91	(P-6922)	am
3000.410	(P-433)	am	140.3	(P-5585)	am
3000.500	(P-433)	am	140.7	(P-5585)	am
		am	140.11	(P-6949)	am
		am	140.16	(P-847)	am
		am	140.413	(P-406) (E-592)	am
		am	140.420	(P-1414)	am
		am	140.421	(P-1414)	am
		am	140.457	(P-20170/90; A-6220)	am
		am	140.458	(P-20170/90; A-6220)	am
		am	140.459	(P-20170/90; A-6220)	am
		am	140.460	(P-4903)	am
		am	140.461	(P-4903)	am
		am	140.462	(P-4903)	am
		am	140.463	(P-4903)	am
		am	140.465	(P-4903)	am
		am	140.475	(P-847)	am
		am	140.485	(P-14317/90; O-21120/90;	am
		am		RC-21124/90; RC-21135/90;	
		am		M-368; A-298)	
		am	140.486	(P-14317/90; A-298)	am
		am	140.487	(P-14317/90; A-298)	am
		am	140.488	(P-14317/90; A-298)	am
		am	140.523	(P-14681/90; A-1051)	am
		am	140.560	(P-5585)	am

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172.2000	am	530.210	n
173.2000	am	530.220	(P-1461) (P-2940)
177.2000	am	530.225	(P-1466) (P-2940)
178.2000	am	530.230	(P-1442) (P-2940)
179.2000	am	530.240	(P-1472) (P-2940)
180.2000	am	530.250	(P-1483) (P-2940)
390.1020	am	530.260	(P-1447) (P-2940)
390.2000	am	530.270	(P-7008) (P-2940)
391.2000	am	530.275	(P-7008) (P-2940)
392.2000	am	530.280	(P-7026) (P-2940)
393.2000	am	530.290	(P-6994) (P-2940)
395.2000	am	530.300	(P-7022) (P-2940)
396.2000	am	530.301	(P-6997) (P-3003)
397.1020	am	530.302	(P-7003) (P-3003)
456.10	n	530.303	(P-6991) (P-3003)
456.20	n	530.310	(P-17535/90; A-5894) (P-2940)
456.30	n	530.320	(P-17535/90; A-5894) (P-2940)
456.40	n	530.330	(P-17535/90; A-5894) (P-2940)
456.50	n	530.400	(P-17535/90; A-5894) (P-3003)
456.60	n	530.401	(P-17535/90; A-5894) (P-3003)
456.70	n	530.402	(P-17535/90; A-5894) (P-3003)
530.10	n	530.403	(P-17535/90; A-5894) (P-3003)
530.110	r	530.410	(P-2940) (P-2940)
530.20	n	530.420	(P-3003) (P-2940)
530.210	r	530.430	(P-2940) (P-2940)
530.30	r	530.440	(P-3003) (P-2940)
530.310	n	530.450	(P-2940) (P-2940)
530.320	n	530.460	(P-3003) (P-2940)
530.330	n	530.470	(P-2940) (P-2940)
530.340	n	530.480	(P-2940) (P-2940)
530.350	n	530.500	(P-2940) (P-2940)
530.360	n	530.501	(P-2940) (P-3003)
530.370	n	530.502	(P-2940) (P-3003)
530.380	n	530.503	(P-3003) (P-3003)
530.390	n	530.510	(P-3003) (P-2940)
530.400	n	530.520	(P-3003) (P-2940)
530.410	n	530.530	(P-3003) (P-2940)
530.420	n	530.600	(P-3003) (P-2940)
530.430	n	530.601	(P-3003) (P-3003)
530.440	n	530.602	(P-3003) (P-3003)
530.450	n	530.603	(P-3003) (P-3003)
530.460	n	530.610	(P-2940) (P-2940)
530.470	n	530.700	(P-3003) (P-2940)
530.480	n	530.701	(P-3003) (P-3003)
530.490	n	530.702	(P-3003) (P-3003)
530.500	n	530.710	(P-3003) (P-2940)
530.510	n	530.800	(P-3003) (P-2940)
530.520	n	530.801	(P-3003) (P-3003)
530.530	n	530.802	(P-3003) (P-3003)
530.540	n	530.803	(P-3003) (P-3003)
530.550	n	530.804	(P-3003) (P-3003)
530.560	n	530.810	(P-3003) (P-2940)
530.570	n	530.820	(P-2940) (P-2940)
530.580	n	530.830	(P-3003) (P-2940)
530.590	n	530.840	(P-3003) (P-2940)
530.600	n	530.900	(P-3003) (P-2940)
530.610	n	530.901	(P-3003) (P-3003)
530.620	n	530.902	(P-2940) (P-3003)
530.630	n	530.903	(P-2940) (P-3003)
530.640	n	530.904	(P-2940) (P-3003)
530.650	n	530.905	(P-2940) (P-3003)
530.660	n	530.906	(P-3003) (P-3003)
530.670	n	530.907	(P-3003) (P-3003)
530.680	n	530.908	(P-3003) (P-3003)